

Title 15

BUILDING AND CONSTRUCTION

Chapters:

15.04	General Provisions
15.08	Building Code
15.09	Fire Code
15.12	Mechanical Code
15.16	Electrical Code
15.20	Plumbing Code
15.24	Sign Code
15.28	Grading and Excavation
15.30	Rehabilitation Code of Residential Hotels
15.32	Substandard Housing and Unsafe Structures – Nuisances
15.44	Underground Utility District
15.48	Flood Hazard Areas
15.52	Home Financing Program
15.60	California Department of Forestry State Responsibility Area Fire Safe Regulations of the County

Note: Footnotes are numbered throughout the text and are located at the end of this title.

Chapter 15.04**GENERAL PROVISIONS****Sections:**

15.01.010	Applications.
15.04.020	Definitions.
15.04.030	Violation – Penalty
15.04.040	No qualification of workmen to be required.
15.04.050	Administration.
15.04.060	Appeals Board.
15.04.070	Board of Review.
15.04.080	Building permit requirements.
15.04.090	Safe to occupy and temporary utility clearance requirements.
15.04.100	Relocated structures.
15.04.110	Demolition permit.
15.04.120	Public nuisance in construction and demolition.
15.04.130	Exemptions.
15.04.140	Variances.
15.04.150	Seasonal dwelling units.
15.04.160	Historical buildings.
15.04.170	Mobilehome occupancy and accessory structures, Mobilehome parks, special occupancy
	Trailer and recreational vehicle parks and
	Campgrounds.
15.04.175	Employee housing for five or more employees.
15.04.180	Copies of codes to be filed.

15.01.010 Application.

The general provisions set forth in this chapter shall be applicable to Chapters 15.04, 15.08, 15.12, 15.16, 15.20, 15.24, 15.28, 15.32 and 15.48 of Title 15 of this ordinance code except as otherwise specifically provided.

The board finds that it is reasonably necessary to make certain changes or modifications in the requirements contained in the rules and regulations adopted by the Department of Housing and Community Development pursuant to Section 17922 of the California Health and Safety Code; that such changes or modifications are herein more particularly set forth.

(Ord. 96-003 (part), 1996: Ord 92-026 (part): Ord. 0-84-008 (part): 0-81-018 § 1 (part): Ord. 470-A-41 § 1, 1978: Ord. 470-A-36 § 1 (part), 1974.)

15.04.020 Definitions.

Whenever the following terms herein, or in any of the codes referred to, they shall have the meaning ascribed to them in this section unless the context clearly discloses a different intent.

- A. "Building Official" or "Administrative Authority" means the director of Public Works & Planning Department and any assistant or employee in his/her office designated as deputies in accordance with Section 104.2.2 of the adopted codes.
- B. "Construction" means any work that includes but is not limited to erection, installation, enlargement, alteration, conversion or relocation.
- C. "Department of Housing and Community Development," referred to in the Mobilehome and Mobilehome Park Law and the rules and regulations of the division of housing implementing said laws, means the building official as defined above.

(Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord 92-026 (part): Ord. 90-003 § 1: Ord 0-84-008 (part): Ord. 0-81-018 § 1, (part): Ord.0-81-002 § 14: Ord. 470-A-36 § 1 (part), 1974.)

15.04.030 Violation – Penalty.

The penalty for violation of any of the provisions of this title shall be as prescribed in Section 1.12.010 as a misdemeanor, or Section 1.12.020 as an infraction, or as prescribed in Section 15.04.080-C, Work Without Permit. The provision of this title may also be enforced by an injunction issued out of the superior court upon suit of the county or the owner or person in possession of any real property affected by such violation. The method of enforcement shall be cumulative and shall not affect the penal provisions hereof.

(Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord 92-026 (part): Ord 0-84-008 (part): Ord. 0-81-018 § 1 (part): Ord.470-A-41 § 2, 1978: Ord. 470-A-36 § 1 (part), 1974.)

15.04.040 No qualification of workmen to be required.

No licensing or other requirement or qualification shall be required to do work of any kind referred to herein excepting those professional services requiring licenses by the state of California and it shall be sufficient that the work itself meets these requirements irrespective of the person who may have performed the same.

(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): Ord. 0-81-018 § 1 (part): Ord. 470-A-36 § 1 (part), 1974.)

15.04.050 Administration.

These provisions shall be administered by the building official. The building official may approve alternate materials, designs or methods of construction which are substantially equivalent to those prescribed and do not materially affect the health and safety standards herein established.

(Ord. 92-026 (part): Ord. 0-84-008 (part): Ord. 0-81-018 § 1 (part): Ord. 470-A-36 § 1 (part), 1974.)

15.04.060 Appeals Board.

There is created an appeals board consisting of eighteen the members. Such membership on the appeals board shall be divided into three divisions; namely, the building division, the electrical division, and the plumbing and mechanical division.

The members of the building division shall consist of an architect, a general contractor active in construction of commercial or industrial structures, a representative of the building trade, a structural or civil engineer, a general contractor active in the construction of residential structures, and a member of the public at large.

The members of the electrical division shall consist of an electrical engineer, an electrical contractor active in construction of commercial or industrial structures, a member of the public at large, a person engaged in the electrical industry other than as a master or journeyman electrician, and electrical contractor active in construction of residential structures, and a representative of the electrical trade.

The members of the plumbing and mechanical division shall consist of a mechanical engineer, a mechanical contractor, a representative of the plumbing trade, a plumbing contractor, a representative of the heating and air conditioning installation trade and a member of the public at large.

All members are to be appointed by the board of supervisors.

Notwithstanding the above, for the purpose of hearing appeals related to enforcement of building access requirements for physically handicapped persons, the building division shall consist of two additional members, who shall be physically handicapped persons.

The members of the appeals board shall be residents of the county during the appointed term. The terms of the members shall be for four years, with the maximum staggering of terms among members. Each four-year term shall expire on June 30th of the odd numbered calendar year. A member of the joint appeals board having served any portion of two continuous appointed terms shall be ineligible for reappointment until a full four-year term has elapsed since the expiration of his last term.

GENERAL PROVISIONS

The chief building inspector of the county shall serve as secretary to the appeals board.

The duties of the appeals board, to be performed by each of the divisions as hereinafter provided, shall be as follows:

- A. To review the suitability of alternate materials, engineering designs, methods of construction and equipment and to advise the building official as to acceptance or denial;
- B. To provide for reasonable interpretations of the provisions of the subject codes;
- C. To conduct hearings for an exception to a required public sewer connection;
- D. To hear written appeals brought by any person regarding action taken by the building official in enforcement of the requirements of the disabled access regulations, including exceptions contained in Section 19957, Health and Safety Code and Title 24, CCR.
- E. To hear appeals from administrator's determination of requests for variances.

The appeals board shall have no authority relative to interpretation of the administrative provisions of this title or model stated codes nor shall the appeals board be empowered to waive requirements of such model codes.

Hearings shall be conducted, business transacted and decisions rendered by the appropriate divisions of the appeals board having expertise in the manner which is the subject for their review. The appeals board of any division thereof shall be convened upon call of the chief building inspector when matters are to be considered which may be of concern to such board or division. The appeals board, and its divisions, shall organize itself, shall adopt reasonable rules and regulations for conducting its business and hearings, and shall render its decisions in writing. The decisions of the appeals board, or its divisions, shall be final.

Any vacancy on the appeals board occurring during any term may be filled by appointment by the board of supervisors for the unexpired term. If a member of the appeals board is absent from three consecutive regular or special meetings of the appeals board of the division to which he is appointed, unless by permission of the appeals board or such division expressed in its official minutes their membership shall automatically become vacant and upon certification to the board of supervisors by the appeals board or such division that such vacancy has occurred, a successor shall be appointed in the manner herein prescribed for filling vacancies. Any member of the appeals board may be removed from office at any time by a four-fifths vote of the entire membership of the board of supervisors.

(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 9-003 § 2: Ord. 0-84-008 (part): Ord. 0-81-018 § 1 (part): Ord. 470-A-41 § 1, 1979: Ord. 470-A-41 § 3, 1978: Ord. 470-A-36a3 § 1 (part), 1974.)

15.04.070 Board of review.

There is created a board of review, which shall consist of nine members. The duties of the board of review shall be as follows:

- A. To determine the existence and manner of abatement of a substandard structure as provided in Chapter 15.32 of this title;
- B. To determine the existence and manner of abatement of substandard housing as provided in Chapter 15.36 of this title;

Membership on the board shall consist of an architect, a civil engineer, a general contractor active in the construction of residential structures, a realtor, a member of a building trade union, a member of a financial lending institution, and three additional members selected at large residing within the unincorporated area of the county. The board of supervisors shall appoint the members of the board of review. (Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): Ord. 0-81-018 § 1 (part): Ord. 470-A-36 § 1 (part), 1974.)

15.04.080 Building permit requirements

- A. Consolidated Permits.

In lieu of applying for separate building, mechanical, electrical and plumbing permits, any combination of building, mechanical, electrical or plumbing permits may be consolidated onto one permit form for each building or structure. When all required permits are obtained concurrently on one application form, the permit fee will be reduced five percent.

B. Expirations.

1. Permits

a) All permits issued under the provisions of this chapter shall expire and become null and void if work authorized by such permit is not commenced within six months from the date such permit was issued or six months after the last approved inspection by the building official. The building official may extend the expiration date upon written request of the permittee for a period not exceeding two years from the date the permit was originally issued. Additional extensions may be approved, upon written request by the permittee, within the sole discretion of the building official, or designee.

b) After a permit has expired, a violation will be issued and no work shall be performed until another permit is issued. The fee for re-issuance of the permit shall be one-half of the fee of the original permit if such reissued permit is issued within six months of the expiration date of the original permit and if substantial changes have not been made to the original plans and specifications. Re-issuance of expired permits past the six-month limitation will not be considered and new permits will be required. The fee for these new permits shall be based upon the fee schedule in force at the time of new permit issuance and the amount of work left to be completed or 50% of the original permit fee, whichever is greater. A minimum fee equal to a one-hour special service fee, based on the fee schedule in force at the time the permit is reinstated, shall be required on all reinstated permits.

2. Plan Review

a) Plan reviews shall become null and void if building permits are not issued within six month from the date of completion of the initial plan review. Upon written request by the applicant the building official may extend the life of a plan review for a period not exceeding one year beyond the original six-month limitation after the completion of the initial plan review. Additional extensions may be approved, upon written request by the applicant, within the sole discretion of the building official.

b) Within six months of the expiration and if no model code change has taken place, the applicant may resubmit plans and pay one-half the original plan review fee to renew action on an expired plan check. After the six-month limitation for renewal has expired, or a code change has taken place, a complete new submittal is required and the plan review will be based on the fee schedule in place at the time of the submittal.

C. Work Without Permit.

For permits issued after commencement of construction, a violation fee, as determined by the building official, shall be charged. The fee shall be based on that portion of the work that has been started without the required permits. These fees shall be charged except where a new owner has acquired the property in good faith and without knowledge that construction work had been performed without the required permits. This fee is separate from and in addition to the permit fees.

D. Fees.

1. The board of supervisors may, by ordinance, adopt fee schedules for the review of submitted plans, issuance of building permits and inspections by the development services division of the Public Works & Planning Department.

2. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at an hourly rate.

GENERAL PROVISIONS

3. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at an hourly rate.

E. Plans.

Two complete sets of plans, drawn to scale, including a site plan, shall be submitted for plan review. All sheets in a set of plans shall be of uniform size and of sufficient size as to be legible when microfilmed. The site plan, grading, structural, architectural, plumbing, mechanical and electrical plans shall be submitted and reviewed at one time, except as permitted for commercial and industrial projects in Section 15.08.020(F) of this ordinance.

(Ord. 03-0001 (part), Ord. 98-007 § Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 3: Ord. 0-84-008 (part): Ord. 081-018 § (part): Ord. 0-81-002 § 15: Ord. 470-A-42 § 1, 1979: Ord. 470-A-41 § 4, 1978: Ord. 470-A-36 § 1 (part), 1974.)

F. Standard Plans

The Building official may establish a standard plan for identical structures within areas of the county that are located within the local responsibility area for fire protection and are not located within flood prone areas, as defined on FEMA FIRM maps, or within areas of expansive soils, as defined in the California Building Code. When a standard plan is established, the plan review fee shall be 100% of the building, plumbing, electrical and mechanical permit fees. A standard plan will expire concurrently with the adoption of a new model code.

15.04.090 Safe to occupy and temporary utility clearance requirements

- A. A safe to occupy clearance may be issued by the building official before final approval of a new structure upon determination by the building official that the structure is substantially complete and safe for human occupancy. As a condition of issuing such clearance, the owner shall enter into an agreement with the county to complete all mandatory work within six months. The agreement shall be secured by a cash deposit with the building official, the amount of which shall be ten percent of the building official's estimate of the cost to complete the work. The minimum deposit shall be one thousand dollars. The building official may extend the completion date for one additional six-month period, upon written request of the owner, showing that circumstances beyond the control of the owner have prevented completion of construction. Additional extensions may be approved, upon written request by the owner, within the sole discretion of the building official or designee.
- B. A safe-to-occupy clearance for model homes may be issued by the building official before final approval of a new single-family residential structure upon determination by the building official that the structure is substantially complete and safe for human occupancy. Issuance of the clearance shall allow the garage of such model home to be temporarily converted to office use as a model home sales office. As a condition of issuing such clearance, the owner shall enter into an agreement with the county to complete all mandatory work and convert the sales office to a garage use within twenty four months. The agreement shall be secured by a cash deposit with the building official, the amount of which shall be ten percent of the building official's estimate of the cost to complete the work and to convert the office to garage use. The minimum deposit shall be two thousand dollars.
- C. Utility Clearance Prior to Final Approval: A gas and/or electrical utility clearance will be issued by the building official prior to final approval of the structure as required by Section 15.08.02 L-3 of this Ordinance. As a condition of the release the building official shall require the owner to enter into an

agreement not to occupy the structure prior to the issuance of a certificate of occupancy for the structure. The agreement shall be secured by a cash deposit for all projects except single family dwellings. The amount of the deposit shall be based on the valuation of the project as determined by the fee schedule in place at the time of permit issuance. For projects with a construction valuation less than one hundred thousand dollars (\$100,000) the deposit shall be five hundred dollars (\$500). For projects with a valuation between one hundred thousand (\$100,000) and one hundred fifty thousand dollars (\$150,000) the deposit shall be one thousand dollars (\$1,000). For projects with a valuation between one hundred fifty thousand (\$150,000) and two hundred and fifty thousand dollars (\$250,000) the deposit shall be five thousand dollars (\$5,000). For projects with a valuation exceeding two hundred and fifty thousand dollars (\$250,000) the deposit shall be ten thousand dollars (\$10,000).

1. Gas and electric meters will not be released on mobile homes or relocated structures until a certificate of occupancy has been issued.
2. Agreements for release of gas or electric utilities shall run concurrently with the building permit. Extensions granted to the building permit shall also apply to the utility clearance deposit.
3. The amount of the deposit may be reduced by the building official when it can be shown that such reduced deposit amounts are adequate to ensure completion of construction.
4. Obtaining a safe-to-occupy clearance shall constitute fulfillment of the agreement for return of the cash deposit. The cash deposit will also be returned if the utility is disconnected and the meter removed prior to the expiration of the agreement.

GENERAL PROVISIONS

D. Deposits For Agreements and Failure to Complete Work.

For deposits of more than two thousand five hundred dollars (\$2,500), the agreement may be secured by a bond, bank guarantee or irrevocable letter of credit, in a form acceptable to the building official, in lieu of a cash deposit.

1. Owner default of the agreement will result in forfeiture of the deposit.
2. Deposits for work not completed within the agreed time, including extensions of any kind, shall be returned in accordance with the following schedule:

Completed Work	Percentage Of Deposit Returned
Between agreed time and 1 month after	90%
Between 1 month and 2 months after	80%
Between 2 month and 3 months after	70%
Between 3 month and 4 months after	60%
Between 4 month and 5 months after	50%
Between 5 month and 6 months after	40%
Between 6 month and 7 months after	30%
Between 7 month and 8 months after	20%
Between 8 month and 9 months after	10%
After 9 months	0%

3. Any deposit amount not returned pursuant to the above schedule shall be forfeited to the county. The Building Official may take whatever actions necessary to reduce a bond, bank guarantee or irrevocable letter of credit to cash upon owner's failure to complete the work within the agreed time, including extensions. Upon such conversion to cash, the cash will be dispersed according to the schedule above.
4. After forfeiture of original deposit and prior to completion of the work, a new deposit as determined by the building official and based on the balance of work yet to be completed shall be required prior to commencement of work to be completed.

5. Time extensions shall be requested by the owner in writing prior to expiration of the term of the agreement and will be granted in writing, if approved, by the building official, or designee. The granting of a time extension is within the sole discretion of the building official, or designee, as the case may be.
(Ord. 03-0001 (part), Ord. 98-007 § 2: Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): 0-81-018 § 1 (part): Ord. 470-A-42 § 2, 1979: Ord. 470-A-36-a4 § 1, 1976: Ord. 470-A-36 § 1 (part), 1974.)

15.04.100 Relocated structures.

- A. Relocation Investigation Permit Required. No person shall move or cause any building or structure to be relocated within the unincorporated areas of the county without first obtaining, in addition to the building permit, a relocation investigation permit from the building official.
- B. Relocation Impractical. The building official shall not issue a permit for any building or structure to be relocated where any of the following conditions exist to the extent that the building or structure endangers the public health or safety:
 1. It is infested with termites;
 2. It is structurally unsound;
 3. It is of a type prohibited by law at the proposed location.
- C. Appeal. Any person denied a permit for relocation of a structure may appeal such decision to the board of review of the county within seven days of such denial. The appeal shall contain a statement of reasons therefore. The board of review may sustain, modify, or reverse the decision of the building official. Its decision shall be final.
- D. Building Permit for Relocated Structures. As a condition to securing a building permit for a relocated structure, the owner shall enter into an agreement with the county to complete all mandatory work within one year. The agreement shall be secured by a cash deposit with building official, in an amount equal to ten percent of the estimated cost of performing the work described in the agreement, as determined by the building official. The minimum cash deposit shall be one

thousand dollars. The building official may extend the completion date for one six-month period upon written request of the owner showing that circumstances beyond the control of the owner have prevented the completion of all mandatory work. Additional extensions may be approved upon written request by the owner within the sole discretion of the building official or designee. Building permits for relocated structures shall expire concurrently with the agreement to complete all mandatory work.

15.04.110 Demolition permit.

- A. No person, firm or corporation shall wreck or demolish any building or structure or abandon a septic tank without first obtaining a permit therefore from the building official.
- B. Prior to the start of any demolition work on any building or structure, the permittee shall have all utilities to such building or structure disconnected in the manner provided by this code.
- C. The permittee shall fill all excavations level with adjoining grade not later than ten days after the building or structure is demolished. Plaster, brick or other inorganic noncombustible materials may be used to fill such excavations; provided, however, that the top twelve inches of fill shall be clean earth. The filling of such excavations shall not be required when a building permit has been issued for a new building on the site and the construction thereof is to be started within sixty days after the completion of the wrecking or demolition operation. In such event, the permittee shall enclose such excavation with a substantial six-foot fence protecting the excavation on all sides.

- D. The permittee shall not operate any equipment engaged in the demolition of any building or structure or in the removal of material therefrom on the traffic side of a pedestrian canopy or walkway. The use of a battering device on the exterior walls of any building or structure is prohibited when such device will swing or be swung over public property or that, through its use, will cause building material particles to fall or be propelled onto public property.
(Ord. 98-007 § 2: Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): 0-81-018 § 1 (part): Ord. 470-A-42 § 3, 1979: Ord. 470-A-36-a4 § 2, 1976: Ord. 470-A-36 § 1 (part), 1974.)

15.04.120 Public nuisance in construction and demolition.

Any person to whom a permit has been issued as provided herein for the repair, alteration, demolition or construction of any structure shall comply with each of the following:

- A. Take reasonable precaution to prevent or control the movement of wind born dust created by such activities;
- B. Promptly remove all dust and mud tracked into a public street by the movement of vehicles, equipment, materials and personnel;
- C. During the progress of the construction, the contractor shall promptly remove all garbage, waste, food, trash, litter and all other items likely to attract or harbor rats or vermin on the job site. A waste paper, cartons or building materials that may be considered an attractive nuisance or a personal hazard shall be promptly removed. No garbage, waste, food or trash shall be buried on the job site. The permittee shall provide adequate trash containers on the job site.
- D. At the time of final inspection following completion of the work under the permit, the streets and the construction site shall be left free of all waste materials.
(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): Ord. 470-A-36 § 1 (part), 1974.)

15.04.130 Exemptions.**A. Agricultural Structures.**

1. The provisions of Chapters 15.08 shall not apply to any detached buildings or structures intended for exclusive agricultural use, except on commercial or industrial zoned land, subject to the following conditions:
 - a. Where the parcel has:
 - i. Thirty-six thousand square feet or lot area or more, but less than two (2) net acres, the building or buildings shall contain no more than one thousand square feet total area;
 - ii. Two (2) acres of lot area or more, there shall be no limit on building area.
 - b. The proposed building or structures is to be used only for the:
 - i. Housing of poultry, livestock, or similar animals;
 - ii. Storage of farm equipment;
 - iii. Storage of farm crops grown on the subject property; or
 - iv. Storage of feed and farm supplies to be used in connection with the farm use; or
 - v. The growing of agricultural crops (greenhouses); or
 - vi. Agricultural wind machine towers for frost protection.
 - c. The property is owned by the person, persons or corporation applying for the exemption.
 - d. All persons claiming an exemption shall, before commencing construction, sign an agricultural exemption application attesting all of the above is true and correct and secure from the building official the approval of the exemption. In the event of a corporation, a responsible party of the corporation shall sign the application. All exceptions issued under the provisions of this chapter shall expire and become null and void if the work authorized by this exemption is not

GENERAL PROVISIONS

completed one year. All structures constructed under an exemption may be inspected for conformance to this section. The exempt status of structures being used other than allowed by their permit shall become null and void and shall be cited in violation of county ordinance.

- e. A building or structure constructed under this provision shall not be used as a place of human habitation, employment, processing of farm products, storage for personal goods or vehicles, or for private or public admittance. Employees removing and returning farm equipment, farm crops and supplies, or the feeding of poultry, livestock or similar animals may be permitted.
 - f. All structures built under this provision shall be set back from all property lines ten feet or as required by the zoning ordinance, whichever is greater. All structures built under this provision shall be separated from all non-exempt buildings located on the same parcel a minimum of twenty feet except that exempt structures shall not encroach into required setbacks of non-exempt buildings.
 - g. Expansions or additions to structures built under this provision which have non-complying setbacks, may be approved as long as the existing setback or separation is not reduced.
- 2. All electrical, mechanical and plumbing installations shall be subject to the provisions of Chapter 15.16 and 15.20.
 - 3. Plumbing and/or electrical services shall be limited to those types of installations required to sustain livestock or poultry and to maintain the premises for intended purposes unless approved by the building official. Electrical services shall not exceed one hundred amperes, single phase.
((Ord. 03-0001 (part).))

- B. Processing of Seasonal Agricultural Products.
1. The provisions of Chapter 15.08 shall not apply to any building designed and intended to be used for the sale or processing of seasonal agricultural products grown primarily upon the premises upon which it is located and which structures is less than four hundred square feet in area. Owners or corporate officers claiming an exemption for this type of structure shall, before commencing construction, sign an application for and secure from the building official an exemption. All structures constructed under an exemption may be inspected for conformance to this section. The exempt status of structures being used other than allowed by their permit shall become null and void and shall be cited in violation of county ordinance.
 2. All electrical, mechanical and plumbing installations shall be subject to the provisions of Chapter 15.16 and 15.20.
- C. Residential accessory structures. The provisions of 15.08 shall not apply to metal framed, pliable plastic or fabric covered accessory structures that are (1) no more than 14 feet wide and 40 feet long and (2) a minimum of 5 feet from all property lines. The structure must be anchored to withstand the maximum wind load for the area, as defined in Chapter 16 of the California Building Code. Property owners claiming an exemption for this type of structure shall, before commencing construction, sign an application for and secure an exemption from the building official. All structures constructed under this exemption may be inspected for conformance with this section.
- All electrical installed in these structures shall be subject to the provisions of Chapter 15.16 of this ordinance.
- ((Ord. 03-0001 (part).))

- D. Public Utility Buildings. These provisions shall not be applicable to building, structures, power plants, facilities, equipment or installations when the provisions of design and inspection of these structures are subject to the full jurisdiction of the California Public Utilities Commission or the Federal Power Commission.
(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 4: Ord. 0-84-008 (part): 0-81-018 § 1 (part): Ord. 470-A-41 § 2, 1979: Ord. 470-A-41 § 6, 1978: Ord. 470-A-36 § 1 (part), 1974.)
- E. Inspections. The owner or person proposing to construct a building or structure exempt from the provisions may obtain inspection service by applying for and obtaining the appropriate permit or permits and paying the regularly established fees as though said building or structure were not exempt pursuant to this section.
(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): 0-81-018 § 2)

15.04.135 Variances.

Remodeled Buildings. Where an existing dwelling is to be remodeled, or modification made to the plumbing, mechanical or electrical facilities, the building official may grant a variance from strict compliance with any particular provision where such variance will not result in a hazardous condition and strict compliance would be an unreasonable hardship.

15.04.140 Areas in process of annexation to city.

At the election of the owner, any construction on any parcel of land in any zoning district within the unincorporated area of the county may be exempted from the provisions of this chapter, when all the following conditions exist:

- A. The building official has found that the following conditions exist:
 - 1. Any city in the county has commenced by the adoption of an appropriate resolution, annexation proceedings of that property upon which the structure or structures are to be erected;

2. That the building official of the city shall certify that the proposed structure and its location on the property will meet all city ordinances and that said city will enforce the provisions thereof.
- B. The owner shall comply with all city ordinances relating to the construction of structures, including the securement of permits as would be required if the property were within the incorporated area of such city.
- C. In the event the annexation proceedings are not consummated within one hundred twenty days or the owner does not comply with the city ordinances as certified to by the city building official, the building official of the county shall order the work stopped. Any further construction shall thereafter be in accordance with this title. The county building official, with the consent of the city building official, may extend the time to consummate such annexation for a period of not to exceed thirty days.
(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-81-018 § 3 (part): Ord. 470-A-36 § 1 (part), 1974.)

15.04.150 Seasonal dwelling units.

A seasonal dwelling unit is a structure, or a portion thereof, that is intended to provide sleeping quarters for a period not to exceed one hundred twenty days in any calendar year, is incidental to a recreational or agricultural use of real property, and the size of which does not exceed five hundred square feet. Provisions for seasonal dwelling units do not apply to any single-family dwelling. The alternate construction standards for a seasonal dwelling unit are as follows:

- A. An individual kitchen need not be provided when a central kitchen is established within three hundred feet of the dwelling. In the event an individual kitchen is provided, it shall be located in a separate area of not less than three feet by five feet in size, and shall contain cooking and food preparation facilities consisting of a properly trapped and vented sink, supplied with hot and cold running water, a receptacle for a refrigerator, and an approved kitchen range or cooking appliance with a local vent.

- B. Bathroom facilities as required for dwellings in Appendix Chapter 29 of the 1998 Edition of the California Building Code as herein adopted shall be required except where community facilities are provided meeting dormitory standards.
- C. Individual electrical service shall be in accordance with the actual demand load, but not less than sixty amperes in size. Lighting and convenience outlets are required as follows:
 - 1. Each refrigerator shall have its own approved electrical outlet (CCR870).
 - 2. At least one convenience outlet and one supplied electric light fixture shall be maintained in good working order in all habitable rooms (CCR872).
 - 3. A minimum of three receptacles shall be placed in each dwelling unit.
- D. The above standards for seasonal dwelling units are considered to be an equivalent alternate. All other provisions shall be applicable. In the event the use of this structure is extended beyond said one hundred twenty-day period, it shall be reconstructed to comply with all provisions of this title and the necessary permits secured.
(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 5: Ord. 0-84-008 (part): Ord. 0-81-018 § 3 (part): Ord. 470-A-41 § 7, 1978: Ord. 470-A-36 § 1 (part), 1974.)

15.04.160 Historical buildings.

An historical building is a structure, or a part thereof, that has been declared an historical monument by the appropriate local, state or federal agency. Construction on historical buildings shall comply with the applicable provisions of the California State Historical Building Code, Part 8, Title 24, CCR.

(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): Ord. 0-81-018 § 3 (part): Ord. 470-A-41 § 8, 1978: Ord. 470-A-36 § 1 (part), 1974.)

15.04.170 Mobilehome occupancy and accessory structures, mobilehome parks, special occupancy trailer and recreational vehicle parks and campgrounds.

- A. The construction standards set forth in that portion of the Mobile Home Park Law as provided in Division 13, Parts 2 and 2.1 of the Health and Safety Code as provided in Title 25, Chapter 5 of the California Code of Regulations, is adopted by reference, except areas which are subject to regulation by the Department of Housing and Community Development of the State of California.
- B. Failure to correct any hazardous or unsafe condition of a mechanical or electrical installation in an occupied mobilehome within forty-eight hours after notice of such condition by the building official as provided in Sections 15.12 and 15.16 constitutes sufficient cause for the building official to disconnect the installation. If such service is obtained from a secondary source said source may be disconnected at the direction of the building official.
- C. If an accessory structure to a mobilehome no longer serves a mobilehome use, or if the mobilehome is removed, the accessory structure shall be converted to a permitted use or removed.
- D. The provisions of this section shall be enforceable in the manner provided by Division 13, Part 2.1, of the Health and Safety Code and Title 25, California Code of Regulations, Chapter 5. Any person who willfully violates any of the provisions shall be subject to either or both civil and criminal penalties set forth in Section 18700 of the Health and Safety Code of the State of California.
(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 6: Ord. 0-86-015 § 1: Ord. 0-84-008 (part): Ord. 0-81-018 § 3 (part): Ord. 470-A-44 § 5, 1979: Ord. 470-A-41 § 9, 1978: Ord. 470-A-38-a-I § 1 1974: Ord. 470-A-48 § 1, 1974: Ord. 470-A-36 § 1(part), 1974.)

15.04.175 Employee housing for five or more employees.

- A. The county, through its community health department, assumes the responsibility for the enforcement of the Health and Safety Labor Code, Division 13 Housing, Part 1, Employee Housing Act, California Code of Regulations, in the unincorporated area of the county. The schedule of fees for the operation of labor camps shall be that established by the California State Commission of Housing and Community Development.
- B. The minimum building guidelines are as prescribed in the "Employee Housing Industry Standards" as developed by the County of Public Works and Planning Department and Health Services Agency.
(Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 7: Ord. 0-84-008 (part): Ord. 0-81-018 § 3 (part), Ord. 470-A-38-a-I § 2, 1974: Ord. 470-A-38 § 2, 1974.)

15.04.180 Copies of codes to be filed.

Not less than three copies of each primary code hereby adopted by reference and each secondary code pertaining thereto, all certified to be true copies by the clerk of the board of supervisors, shall be filed in the office of said clerk and shall be kept there for public inspection while this title is in force; provided, that after the adoption of the code by reference, one of these copies of the primary code and secondary code may be kept in the office of the manager of Development Services Division instead of the clerk's office. (Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 8: Ord. 0-84-008 (part): Ord. 0-81-002 § 16: Ord. 470-A-36 § (part), 1974.)

Chapter 15.08**BUILDING CODE*****Sections:**

- 15.08.010 California Building Code Adopted**
15.08.020 Exceptions and Superseding Provisions

15.08.010 California Building Code adopted.

The California Building Code, including the appendices as referenced in the 2001 California Building Standards Code and the Uniform Building Code Standards is adopted by reference. (Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 9 (part).)

15.08.020 Exceptions and superseding provisions.

Sections 331, 332 and Chapters 9, 10, 11, 12 Division I & II, 13, 21, 23, 30 & 34 (Division II and I only) of the Appendix of the California Building Code ("Appendix") are deleted. Sections 3104 through 3110 of the Appendix are amended under Chapter 15.48 of this title. Chapter 33 of the Appendix is amended under Chapter 15.28 of this title.

The following sections of the California Building Code, 1998 Edition, are deleted, amended or superseded as follows:

- A. Section 101.15 Ratification by City Council, is amended by the deletion of the phrase "by City Council" from the title line.
- B. Section 102 Unsafe Building or Structures, is deleted. Refer to Section 15.32 of this title.
- C. Section 105 Board of Appeals, is deleted. Refer to Section 15.04.060 of this title.
- D. Section 106.2 Work Exempt From Permits, is amended by adding Items Nos. 13, 14, 15, and 16, to read as follows: Item No. 13 Bridges & cross drainage works when such construction is reviewed by the appropriate county department or State agency for compliance with applicable design standards. Item No. 14 Flagpoles, radio and TV antennas less than thirty-five feet in height and without receiving dishes. Item No. 15 Ground mounted satellite receiving dishes less

than twelve feet in height, serving an R-3 occupancy. Item No. 16 Transportable gypsum and fertilizer storage tanks for agricultural use.

- E. Section 106.3.4.1 General, is amended to read as follows: When state law requires that documents be prepared by an architect or engineer, the building official shall require the owner to engage and designate an architect or engineer who shall act as the architect or engineer of record for the entire project and shall indicate this selection on the building permit application. All sheets of each submittal must be reviewed and coordinated by the architect or engineer of record and must be signed as such.
- F. Section 106.3.4.2, Deferred submittals, is amended in its entirety to read as follows:

For the purposes of this section, deferred submittals are defined as project components such as electrical, plumbing, mechanical, refrigeration, processing equipment, or other non-structural elements that are not submitted at the time of the initial plan submittal for a building and that are to be submitted to the building official for review during construction of the building. Deferred submittals are limited to commercial or industrial projects only and shall have prior approval of the building official. A maximum of three (3)-deferred submittals will be allowed on one project.

An architect or engineer of record shall be required for all projects where deferred submittals are proposed. This professional shall list all deferred submittal components on the initial plans for the building and shall be responsible for submitting all deferred documents for review by the building official.

Submittal documents for deferred items shall be forwarded by the designer to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal documents shall be integrated into the “approved” construction plans for the

building by the architect or engineer of record to provide one complete set of plans for the project.

Construction shall not begin on deferred submittal components until their design has been reviewed and approved by the building official. A certificate of occupancy shall not be issued until all work, including work associated with the deferred submittals has been completed, inspected and approved as safe to occupy.

(Ord. 03-0001 (part), Ord. 98-007 § Ord. 96-003 (part): Ord. 92-026 (part): Ord. 90-003 § 3: Ord. 0-84-008 (part): Ord. 0-81-018 § (part): Ord. 0-81-002 § 15: Ord. 470-A-42 § 1, 1979: Ord. 470-A-41 § 4, 1978: Ord. 470-A-36 § 1 (part), 1974.)

- G. Section 106.4.4, Expiration, is deleted. Refer to Section 15.04.080(B) of this title.
- H. Section 107.2, Permit Fees, is deleted. Refer to 15.04.080(D) of this title.
- I. Section 107.3, Plan Review Fees, is amended in its entirety to read as follows:
 - When a plan or other data is required to be submitted by Section 106.3.1 of the California Building Code and/or Section 15.04.080(E) of this title, a plan review fee shall be paid in accordance with Section 15.04.080(D) of this title.
- J. Section 107.4, Expiration of Plan Review, is deleted. Refer to Section 15.04.080(B) of this title.
- K. Section 107.5, Investigation Fees, is deleted. Refer to Section 15.04.080(C) of this title.
- L. Section 108, Inspection, is amended as follows:
 - 1. Section 108.5.4 Frame Inspection: To be made after the roof covering, all framing, fire blocking and bracing are in place, and all pipes, chimneys and vents are complete, and after the rough electrical, plumbing and mechanical are complete and previously approved or are concurrently inspected with the frame inspection, and the exterior wall materials are in place. Where the exterior wall finish is cement plaster or masonry veneer then only the building paper and lath is required to be completed. For the purpose of this section, a vapor

barrier shall not be construed to be an exterior wall material where further or additional nailing of exterior material is required. Insulation depth markers are prescribed in Section 15.08.020(W) for pneumatically placed ("blown") insulation shall be in place at the time of the framing inspection.

2. Section 108.5.5, Lath or Gypsum Board Inspection, is amended to delete the requirement for gypsum board inspection. Refer to Section 15.08.020(L.1) of this title.
3. Section 108.5.6, Final Inspection, is amended as follows:

Electrical and gas utilities must be connected and energized at the time of the final inspection.

- M. Section 109.7 Operation of Fire Extinguishing System, is added to and shall read as follows:

No material is to be processed, sold, stored or placed in any building or portion of a building until the required fire extinguishing system, fire resistive construction and fire assemblies have been installed, inspected, approved and are operational.

- N. Section 203-(B) Definitions, Building Official, is deleted. Refer to Section 15.04.020(A) of this title.

- O. Section 204-C Definitions, Condominium, shall be amended to add the following definition, which shall read as follows:

Condominium means a structure as defined in the building code which constitutes an estate in real property consisting of an undivided interest in common portions of a parcel of real property, together with a separate interest in space in a residential, industrial or commercial building on such real property. For the purpose of occupancy, a structure to be used as a condominium shall be classified according to the occupancy type of the overall structure as specified in the California Building Code, 1998 Edition.

- P. Section 205, Definitions, is amended by adding the following definition:

"Deferred submittal" shall mean deferred plan submittal for commercial or industrial projects meeting all the requirements of Section 15.08.020 (F) of this ordinance and does not apply to shell buildings.

- Q. Section 207-F Definitions, Front of Lot, is amended to read as follows:
The front of the lot shall be as determined in the Fresno County Zoning Ordinance Section 800 of the Fresno County Ordinance Code.
- R. Section 213 Definitions, is amended in its entirety to read as follows:
Lodging House is any building or portion thereof containing not more than six guest rooms which are used by not more than six guests where rent is paid in money, goods, labor or otherwise.
- S. Section 218 Q Definitions, Qualified Historical Building (or structure), is deleted. Refer to Section 15.04.160 of this title.
- T. Section 220, Definitions, is amended by adding the following definition:
“Shell building” shall mean a building constructed in a commercial or industrial zoning district, without a known tenant, designed to accommodate future tenant improvements.
- U. Section 302.6, Water Closet Room Separation, is added to and shall read as follows:
In all A, B, E, F, M and S occupancies, the water closets and urinals shall be screened so that they are not visible from outside the room they are located in when the doors to such rooms are opened to any position. Excepting existing toilet rooms within an existing building containing the above listed occupancies, which need not comply with this requirement unless the existing toilet rooms are remodeled, or an addition or an alteration of the building includes the area of toilet rooms.
- V. Section 308, Requirements for Group I Occupancies, is amended in its entirety to read as follows:
Section 308.1 Group I Occupancies defined. Group I Occupancies shall be:
Division 1.1. Nurseries for the full-time care of children under the age of six (each accommodating more than six persons). Hospitals, sanitariums, nursing homes with non-ambulatory patients, and

similar buildings (each accommodating more than six persons).

Division 2. Nursing homes for ambulatory patients, where medical care is provided, homes for ambulatory children six years or over where medical care is provided, or homes with ambulatory guests where medical care is provided, and similar buildings, and honor farms and conservation camps housing inmates who are not restrained (each accommodating more than six persons).

- W. Section 505.1, General Building Limitations, is amended by adding a sub-paragraph and exception to read as follows:

505.1.4 The area for an S-1 or S-2 Occupancy Open Shed Type II or V-N construction may be double the amount specified in the Table 5-B "Basic Allowable Area for Building one-story in Height" in addition to increases allowed within the chapter for sideyards.

EXCEPTION: Dehydrator Tunnels (F-2 Occupancy) of Type I or Type II F.R. construction may be located adjacent to any one side of the structure, provided the total area of all structures meet limit stated above.

- X. Section 216-O, Open Shed, shall be amended to add the following, which shall read as follows:

Open shed is a structure built for shelter or storage of agricultural products and constructed in such a manner that all sides of the structure are open except for any roof support members and bracing.

- Y. Section 707.1, Insulation is amended by adding the following paragraph:

1. Insulation depth markers shall be provided in attic spaces where pneumatically placed ("blown") insulation is to be installed. A sufficient number of markers shall be installed to allow an inspector to reasonably substantiate insulation depth from the attic openings without crawling in the attic. Markers shall be placed with the bottoms even with the bottom of ceiling joists. They shall be of reasonably substantial material (such as heavy-gauge cardboard or wood) to prevent

bending or dislodgment during placement of insulation.

Markers shall be tri-colored as follows:

- (a) Bottom of marker to plus six inches – Blue.
- (b) From plus six inches to plus nine inches – Red.
- (c) From plus nine inches to twelve inches – White.

- 2. Pneumatically-placed insulation shall be placed in accordance with the manufacturer's recommendations.

- Z. Section 1003.3.1.6, Floor Level at Doors, is amended by adding the following paragraph:

A landing is a permanent and firm surface constructed of concrete (3-1/2" thick minimum), mortared brick or stone over concrete base, foundation grade redwood or treated wood, asphalt paving or other approved like materials. Where wood is to be used as a landing, it shall be adequately supported on concrete or masonry and anchored to prevent dislocation. Alternate methods may be used if first approved by the building official.

- AA. Chapter 15, Table 15-A, is amended by adding footnote 6 to read as follows:

- 5. In California Department of Forestry State Responsibility Areas, all roof coverings for any occupancy group or construction type shall be Class "A".

- BB. Section 1505.1, Attics: Access, Draft Stops and Ventilation, is amended by adding the following exception:

Where dwelling attic spaces are separated by volume ceilings (such as those formed by scissor trusses), there shall be at least one attic access opening on each side of the volume ceiling. Where attics are separated by draft stops, there shall be at least one attic access opening on each side of the draft stop. Attic access openings from the garage to the residence in the vertical wall are permitted provided the access door is at least 1-3/8 inches thick, tight fitting solid core wood or equal, equipped with a self-closer and a positive latching device. Openings penetrating a horizontal fire separation between a garage and a dwelling shall be a listed fire rated assembly.

- CC. Section 1629.4.1, Seismic zone, is amended by adding thereto the following paragraph:

Pursuant to a seismic study made of the counties of Fresno, Kings, Madera, Mariposa and Tulare, which findings are set forth in a report dated April 1974, entitled "Five County Seismic Safety Element, Summary, and Policy Recommendations," this Board does hereby place the entire unincorporated area of the County of Fresno in a Seismic Zone No. 3 as defined in the 1998 California Building Code, except those areas lying easterly of the following line:

Beginning at a point 10.5 miles Southwesterly of the Mono-Fresno-Madera-County Line along the Fresno-Madera County Line; thence, in a Southeasterly direction to a point which is 3.0 miles West and 1.2 miles South from the Northeast corner of Township 7 South, Range 27 East; thence in a Southerly direction to the Northeast corner of Section 4, Township 9 South, Range 27 East; thence in a Southerly direction to the Southwest corner of Section 24, Township 10 South, Range 27 East; thence in a Southeasterly direction to the Southeast corner of Section 31, Township 13 South, Range 29 East, said point being on the Fresno-Tulare County Boundary Line; and Westerly of the following line:

Beginning at the Northwest corner of Section 6, Township 11 South, Range 13 East; thence in a Southeasterly direction to the Northwest corner of Section 6, Township 13 South, Range 15 East; thence in a Southeasterly direction to the Southeast corner of Section 24, Township 15 South, Range 15 East; thence in a Southeasterly direction to the Southeast corner of Section 36, Township 18 South, Range 18 East, said point being on the Fresno-Kings County Boundary line; which excepted area shall be placed in Seismic Zone No. 4 as defined in the 1998 California Building Code.

- DD. Section 1804.7, Drainage, is amended by adding the following paragraph:

A building shall have the foundation wall or concrete floor slab constructed above the crown of the adjoining street, unless otherwise approved by the building official. The ground around the structure shall be sloped to provide drainage away from the structure.

- EE. Appendix Section 419.1 (Chapter 4 Division 1), General, is amended in its entirety to read as follows:

All swimming pools located on the premises of Group R Division 3 Occupancies shall have a barrier between the house and the pool as defined in The California Health and Safety Code, Sections 115920-115927. In addition to the barrier between the house and the pool, a wall or fence, meeting the requirements of The California Health and Safety Code Section 115923, must be installed around the pool as required in Section 855(H.2) of the Fresno County Zoning Ordinance to prevent access to the swimming pool from adjoining properties. These barriers must be installed prior to a final inspection and prior to filling the pool with water.

EXCEPTION: A wall or fence as required by the Fresno County Zoning Ordinance shall not be required when there exists a natural barrier restricting physical access to the swimming pool that is essentially equivalent in effect to the required barrier as determined by the building official.

- FF. Section 421.1, Outdoor Swimming Pools, is amended to read in its entirety as follows:

Pools which serve more than one residential unit, hotels, motels, or similar multi-occupancy or commercial building(s) shall have the pool area separately fenced with a barrier as described in California Code of Regulations Title 24 Section 9024. EXCEPTION: Swimming pool barriers shall not be required when there exists a natural barrier restricting physical access to the swimming pool that is essentially equivalent in effect to the required barrier as determined by the building official.

GG. Appendix Chapter 29, Table A-29-A Minimum Plumbing Fixtures is amended by adding the following footnotes:

7. Laundry trays. One laundry tray or one automatic washer standpipe for each 20 bedrooms or any portion thereof.
8. For the purposes of this Subsection, a restaurant is defined as a business which offers any type of food for sale for consumption on the premises. Any type of food shall include, but not be limited to, bakery products, ice cream, yogurt and the like. Required toilet facilities for public use in restaurants, swap meets, and bars shall be provided inside each such place of business.

Exception A: For restaurants with a total interior and/or exterior dining area of 150 square feet or less and which seats ten or fewer patrons, one toilet room only for both male and female customers need be provided. Said toilet room may also be used for employees provided it is in compliance with the California Retail Food Facilities Act, California Administrative Code, Title 24 (disabled access) and provided that not more than four people and both sexes are employed.

Exception B: The occupant load for a drive-in restaurant or swap meet shall be twice the number of parking stalls or vendor spaces.
9. All water closets for public use in theaters and auditoriums (churches excluded) shall be equipped with flushometer valves.
10. Surrounding materials, wall and floor space to a point two-(2) feet (0.6 m) in front of urinal lip and four-(4) feet (1.2 m) above the floor, and at least two (2) feet (0.6 m) to each side of the urinal shall be lined with non-absorbent materials.
11. Trough urinals are prohibited.

12. Where food is consumed indoors, water stations may be substituted for drinking fountains. Theatres, auditoriums, dormitories, offices, or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first one hundred fifty (150) persons and one (1) additional fountain for each three hundred (300) persons thereafter.
13. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theatres, auditoriums, dormitories, offices or public building.
14. The total number of water closets for females shall be a least equal to the total number of waters closets and urinals required for males.

For temporary construction facilities, one (1) water closet and one (1) urinal for each thirty (30) persons shall be provided.
(Ord. 03-0001 (part).)

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Chapter I5.I0

FIRE CODE

Sections:

**I5.I0.010 California Fire Code
adopted.**

I5.I0.020 Exceptions and superseding provisions

I5.I0.010 California Fire Code adopted.

The California Fire Code as referenced in the 2001 California Fire Code, is adopted by reference.

(Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 10: Ord. 0-84-008 (part): Ord. 0-81-018 § 5 (part).

I5.I0.020 Exceptions and superseding provisions.

A. Section 7820.1, Fireworks, is amended by adding exception number 4 to read as follows:

1. The sale and use of "Safe and Sane Fireworks" shall be allowed as regulated by Chapter 8.36 of the Fresno County Ordinance Code.

(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 0-84-008 (part): Ord. 0-81-018 § 5 (part).

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Chapter 15.12

MECHANICAL CODE

Sections:

- | | |
|------------------|---|
| 15.12.010 | California Mechanical Code adopted. |
| 15.12.020 | Exceptions and superseding provisions. |

15.12.010 California Mechanical Code adopted.

The 2001 Edition of the California Mechanical Code, including Appendices A, B, and C, is adopted by reference. (Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 11 (part).

15.12.020 Exceptions and superseding provisions.

The following sections are deleted, amended or superseded as indicated.

- A. Section 110.0, Appeals Board, is deleted. Refer to Chapter 15.04.060 of this Title.
- B. Section 113.2 subsection 113.2.1, Refrigeration Plans, is amended as follows:

Refrigeration plans shall be prepared and stamped by a mechanical engineer licensed in the State of California when the aggregate compressor horsepower exceeds one hundred horsepower and the system contains other than a group A-1 refrigerant.
- C. Sections 114, Subsection 114.4.1, Permit Expiration, is deleted. Refer to Chapter 15.04.080 B.1 of this title.
- D. Section 115, Subsection 115.2, Permit fees, is deleted. Refer to Chapter 15.04.080 D. of this title.
- E. Section 115, Subsection 115.3, Plan Review Fees, is deleted. Refer to Chapter 15.04.080 D. of this title.
- F. Section 115, Subsection 115.4, Expiration of Plan Review, is deleted. Refer to Chapter 15.04.080 B.2 of this title.
- G. Section 115, Subsection 115.6.2, Plan Review Fee Refund, is deleted.

- H. Section 304.6, Liquefied Petroleum Gas Appliances, is amended by adding the following:

Liquefied petroleum gas fired appliances shall not be located in attics or under floor spaces unless they are installed over a twenty-six (26) gauge sheet metal pan extending six (6) inches beyond each side of appliance. The pan shall have two (2) inch high sides and have a 1-1/2" drain to the exterior of the structure. The drain shall not terminate above or within five (5) feet of any opening to the structure.

- I. Section 910.5 and 910.6, Equipment on Roofs or Elevated Structures, requirements 1 & 2 are amended in their entirety to read as follows:

910.5 Platform. Every appliance, including evaporative coolers, located on a roof of a building shall be installed on a substantial level platform. Whenever the roof has a slope greater than five inches (5") measured vertically to twelve inches (12") measured horizontally, a level working platform not less than thirty inches (30") in depth shall be provided in front of the entire firebox and control sides of the appliance and all three sides of evaporative coolers (uphill side excluded). All sides of any working platform facing any portion of the roof edge below the platform shall be protected by a substantial railing forty-two inches (42") in height with vertical rails not more than twenty-one inches (21") apart, except that parapets at least twenty-four inches (24") in height may be utilized in lieu of rails or guards. An adjacent roof with a slope not exceeding 1:12 may be used as a platform provided the equipment is positioned no more than eighteen (18") from the high-to-low sloped roof break line.

910.6. Catwalk. On roofs having slopes greater than 5 in 12, a catwalk not less than sixteen inches (16") in width and provided with substantial cleats spaced not more than sixteen inches (16") apart shall be provided from the roof access to every required working platform at the appliance. Cleats shall have a minimum clearance of 1-1/2" above roof covering. Said catwalk shall not

- impair the weather protection of the roof and shall be secured to roof-sheathing or roof-framing members.
- J. Section 504, Subsection 504.2, Domestic Range Vents, is amended by adding the following:
1. Kitchen ventilation in R-1 or R-3 Occupancies shall be provided by a forced draft metal ventilating hood installed in accordance with requirements of Section 906, Subsection 906.1, 906.2 and 906.3, or by means of an approved down draft ventilating system, or a forced draft ceiling or wall fan located approximately over the cooking equipment. All such systems shall have back draft dampers and exhaust ducts that terminate outside the building. Ceiling and wall mounted fans shall be capable of providing a minimum of five (5) air changes per hour.
 2. Ventless hoods shall not be permitted unless prior approval is obtained from the building official.
- K. Section 1105.3. The words "processing or" are deleted.
((Ord. 03-0001 (part).))

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Chapter 15.16

ELECTRICAL CODE

Sections:

- 15.16.010 California Electrical Code adopted.**
- 15.16.020 Exceptions and superseding provisions.**
- 15.16.030 Alterations and additions.**
- 15.16.040 Electrical Signs.**
- 15.16.050 High voltage tests.**
- 15.16.060 Miscellaneous electrical requirements.**

15.16.010 California Electrical Code Adopted.

The 2001 Edition of the California Electrical Code, including Administrative Chapters 1, 2 and 3, is adopted by reference. (Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 12: Ord. 0-84-008 (part): Ord. 0-81-018 § 7 (part): Ord. 470-A-41 § 16, 1978 Ord. 470-A-36-a2 § 1 1975: Ord. 470-A-36 § 4(part), 1974.)

15.16.020 Exceptions and Superseding Provisions.

Sections and/or Articles of the California Electrical Code are deleted, amended or superseded as indicated:

- A. Section 102, Unsafe Buildings or Structures, of the 2001 California Building Code is amended by adding the following paragraph:

For the purpose of this chapter, any electrical equipment existing in any type occupancy which has any of the following conditions or defects shall be deemed dangerous, and said equipment shall be repaired, reinstalled, reconstructed or removed if:

- 1. The service panels show visual evidence of an excessive number of overloads.
- 2. The working area in front of any service panel is insufficient for safe maintenance and repair of the equipment.
- 3. Live front panels are being maintained or used.

4. The fuses are rated higher than those permitted by said California Electrical Code.
 5. The electrical conductor is in an unapproved raceway.
 6. The electrical conductors from different classes of service are in a common raceway, common junction box, or common electrical panel.
 7. Drop cords greater than six feet in length are used to connect electrical appliances.
 8. The electrical equipment is not properly grounded for the protection of the electrical equipment as determined by the use being made thereof.
 9. The electrical equipment is broken, cracked or not properly maintained to meet the standards existing at the time the equipment was approved.
 10. The electrical equipment is unsafe for the use intended.
- B. Section 102.2.3, is added to read as follows:
Authority to Condemn Installations.
1. When the building official determines that an electrical installation is in violation of this chapter, an order shall be given to the owner or person in responsible charge of the installation to either remove or replace the installation. The order shall be in writing and mailed or personally delivered; it shall specify the particulars in which the installation is in violation and a reasonable time for compliance with the order. In cases of extreme danger to life or property, the order shall further require that all persons immediately cease using electric current through the installation and cause its disconnection at once.
 2. If any violation continues to exist beyond the expiration of the time fixed by the order, or should the building official find that persons are using an installation that has been ordered disconnected, the building official is authorized to order the serving agency to disconnect electric service to the consumer's wiring system.

- C. Section 90-1 of the 2001 California Electrical Code is amended by adding the following paragraph:
- Where the service exceeds four hundred amperes and/or six hundred volts, or the area of the building is in excess of fifteen thousand square feet, the plans shall be prepared by an electrical engineer licensed by the State of California, except as defined in the Business and Professions Code, State of California.
- D. Section 90-2 of the 2001 California Electrical Code is amended to include the following subsections:
1. For all existing commercial and industrial establishments and places of assembly, when the electrical service has been disconnected for one hundred eighty days or more, the service may not be reconnected without inspection and approval from the building official. If any unsafe electrical system or equipment is present, approval will not be granted. A permit is required for this inspection.
 2. For all existing residential buildings and agricultural service poles where service has been disconnected for one year or more, the service may not be reconnected without inspection and approval from the building official. A permit is required for the inspection.
- E. Article 230-2, Number of Services, is amended by adding exception No. 6 to read as follows:
- Exception No. 6: For tenant spaces when one occupant expands operations into an adjacent tenant space and demising walls are removed or openings in such walls are created, wiring systems for each service shall be completely segregated from the wiring systems of other services and shall not cross over a defined demarcation line which shall be described at each service.
- F. Section 250-24, Two or More Building Structures Supplied from a Common Service, is amended to by adding the following exception:
- Exception: A grounding electrode shall not be required at detached open structures such as fuel island canopies, carports, shade structures, etc.

- G. Article 384-4 is amended by adding one paragraph to read as follows:

Equipment installed in storage rooms, warehouses or rooms that can be used as such and rooms containing industrial equipment shall have the clear working spaces described in Section 110-26 permanently delineated on the floor at each piece of equipment.

- H. Article 680-20(a) Subsections (1) and (2) are amended in their entirety to read as follows:

No lighting fixture shall be installed for operation at over fifteen volts between conductors.

(Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 15: Ord. 0-84-008 (part): Ord. 0-81-018 § 7 (part): Ord. 470-A-41 § 20, 1978.)

15.16.030 Alteration or Additions.

- A. When an addition is made to, or an alteration is made in an existing building, all new electrical work and all existing electrical work repaired, changed or connected shall be made to comply with the provisions of this article.
- B. The amount of existing wiring that is not to be repaired or replaced shall be at the discretion of the building official.
(Ord. 96-003 (part), 1996.)

15.16.040 Electrical Signs.

All signs shall conform to the standards as set up by the Underwriters' Laboratory (UL) or by the American National Standards Institute (ANSI). The inspection label of the Underwriters' Laboratories or an approved testing laboratory shall be required on all new signs. Exceptions may be made to these requirements in the case of signs which must be fabricated on the job, but such exceptions require that signs bear evidence of approval by the building official. A label of approval by the building official will be required on all existing signs requiring any alteration to the electrical circuits except for changes or replacement of tubing and other normal repairs. Any sign found not to be in conformance with these regulations shall be deemed a violation of these regulations and the same shall be removed from the place of erection. When an inspection is required by the Building Official on signs not bearing an

Underwriters' or approved testing laboratory label, a fee will be charged for each inspection as set forth in the Master Fee Schedule. (Ord. 96-003 (part), 1996.)

15.16.050 High Voltage Tests.

All services over six hundred volts shall have high potential tests made before being energized. Such tests shall be performed by an approved testing agency and a written test report shall be submitted to the building official for review and approval. (Ord. 96-003 (part), 1996.)

15.16.060 Miscellaneous Electrical Requirements.

All unused electrical wiring shall be removed from structures. (Ord. 96-003 (part), 1996.)

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Chapter 15.20**PLUMBING CODE****Sections:**

- 15.20.010 California Plumbing Code adopted.**
15.20.020 Exceptions and Superseding Provisions.

15.20.010 California Plumbing Code Adopted.

The 2001 Edition of the California Plumbing Code and appendices and the IAPMO Installation Standards are adopted by reference.

(Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord 90-003 § 16 (part).)

15.20.020 Exceptions and Superseding Provisions.

Provisions and sections of the California Plumbing Code, 2001 Edition, are deleted, amended and superseded as follows:

- A. Section 312, Independent Systems, is amended in its entirety to read as follows:

The drainage system of each new building and new work installed in any existing building shall be separate and independent of that in any other building. Every building shall have an independent connection with a private or public sewer as authorized by this Division. When more than one building is placed on a lot in such a manner that the lot cannot be divided without violation of the Zoning Ordinance of the County of Fresno, such buildings may then be served by a single building sewer. If the property is ever divided in ownership so that one building is on property owned by one person and the other building is on property owned by another person, no person shall cause or permit the disposal of sewage, human excretion, or other liquid waste into the drainage system of the building farthest from the public or private sewer until the building has been provided with an independent connection to such a public or private sewer.

Exception: The number of branch service sewer connections to serve structures other than single-family dwellings need not exceed the number required by Chapter 14, "Mandatory Sewer Regulations", of Title 14 of County Ordinance Code.

- B. Section 604.1.1 is amended by adding PEX piping to piping approved for water distribution piping and building supply piping.
- C. Section 609.10 "Water Hammer Arrestors" is adopted in its entirety.
- D. Section 609.10.2 is amended by deleting the last sentence which reads "Such mechanical devices shall be accessible".
- E. Section 1206, Authority to Render Gas Service, Subsection 1206.3, is added to read as follows:
 - 1. For all existing commercial and industrial establishments and places of assembly, when the service has been discontinued for 180 days or more, the gas meter may be turned on only after the piping has been pressure tested and when the test and gas appliances have been approved by the Building Official. A permit is required for this test.

For all existing residential buildings where service has been discontinued for one year or longer, the gas may be turned on only after the piping has been pressure tested and when the test and gas appliances have been approved by the Building Official. A permit is required for this test.
- F. Section 1213, Liquified Petroleum Gas Facilities and Piping, Subsection 1213.5, is amended by adding the following:

Liquid petroleum gas facilities shall not be located in any fireplace.

Exception: Decorative gas appliances may be used when approved by building official.

- G. Section 1217, Required Gas Piping Size, Subsection 1217.5, is amended by adding the following:
- Exception 1. For structures located in areas determined by the building official as not having a reasonable possibility of obtaining natural gas over the lifetime of the structure may size the gas piping system using table 12-7.
- Exception 2. In non-residential construction gas pipe sizing within structures may be by any appropriate table with prior approval.
- H. Section 1105.0, Materials, Subsection 1105.1.3, is added to read as follows:
- On metal buildings, when roof design does not lend itself to the installation of roof drains, rain gutters installed in such a location or manner that any portion of the rain gutter is concealed within the interior of the building shall be not less than 24 gauge galvanized sheet metal. A connection approved by the Building Official which will provide proper transition from the rain gutter to the rain water piping placed within the interior of the building will be required.
- I. Appendix E, Manufactured/Mobile Home Parks and Recreational Vehicle Parks is deleted in its entirety.
- J. Appendix G 1(d), Gray Water Systems, is amended in its entirety to read as follows:
- Appendix G 1(d) Gray water systems shall be an engineer designed system. Prior to issuance of a permit, the design shall be submitted to and approved by the building official.
- K. Appendix K, Section K-4, Subsection (c) is amended in its entirety to read as follows:
- (a) The percolation rate in the disposal area shall not be slower than 60 minutes per inch. The percolation rate shall not be faster than 5 minutes per inch unless it can be shown that a sufficient distance of soil is available to assure proper filtration. The percolation rate shall be determined in accordance with procedures contained in the U.S. Department of Health, Education and Welfare 'Manual of Septic Tank Practice' in effect on August 1, 1977, which manual is herein adopted by reference, or an equivalent method approved by the Human

Services Department of Community Health. Soil depth to bedrock below the bottom of the leaching trench shall not be less than five feet (5') nor less than ten feet (10') below the bottom of a seepage pit. Depth to anticipated highest level of ground water below the bottom of the leaching trench shall not be less than five feet (5') nor less than ten feet (10') below the bottom of a seepage pit. Greater depths are required if soils do not provide adequate filtration.

Ground slope in the disposal area shall not be greater than 30 percent.

If the above criteria cannot be met, an engineered sewage system will be required. The sewage system shall be designed by a registered geologist or registered civil engineer and the following criteria shall be met.

1. The average of all percolation tests in the leaching area shall not exceed 200 mi./inch.
2. No single percolation test shall exceed 240 mi./inch.
3. The difference between percolation rates used shall not exceed 60 min./inch unless an adequate justification is provided.

(Ord. 03-0001 (part), Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord. 90-003 § 16 (part).)

Chapter 15.24**SIGN CODE****Sections:**

- 15.24.010 Uniform Sign Code Adopted.**
- 15.24.020 Exceptions and Additional Provisions.**

15.24.010 Uniform Sign Code Adopted.

The Uniform Sign Code as published by the International Conference of Building Officials and designated the "Uniform Sign Code, 1998 Edition", is adopted by reference.

(Ord. 96-003 (part), 1996: Ord. 92-026 (part): Ord 90-003 § 17 (part).)

15.24.020 Exceptions and Additional Provisions.

Sections of the Uniform Sign Code, 1998 Edition, are hereby deleted, amended and superseded, as follows:

- A. Section 103 is amended by deleting paragraphs (c) and (d).
- E. Section 403(a) is amended in its entirety to read as follows:
 - General. Signs shall conform to the clearances and projection requirements of this section and the Zoning Ordinance, whichever may be more restrictive.
- F. Section 403(b) is amended in its entirety to read as follows:
 - Clearance from electrical lines. Clearances between signs and overhead electrical conductors shall be as required by the serving utility or the California Electrical Code.
- G. Section 403 is amended by deleting paragraphs(e) and (f).
- H. Section 1302(b) is amended to read in its entirety as follows:
 - Erector's name. Every electric sign shall have a permanent marking on the sign indicating the name of the sign erector and date of erection, readable from ground level. Each sign shall have the Underwriters' Laboratory Seal of Approval thereon.

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Chapter 15.28**GRADING AND EXCAVATION****Sections:**

15.28.010 Chapter 33 and Chapter 33 of the Appendix of the 2001 California Building Code adopted.

15.28.020 Exceptions and superseding provisions.

15.28.010 Chapter 33 and Chapter 33 of the Appendix of the 2001 California Building Code adopted.

Chapter 33 and Chapter 33 of the Appendix of the 2001 California Building Code are adopted by reference and except as herein otherwise provided are applicable to and shall cover all grading and excavation within the unincorporated area of the County of Fresno.

(Ord. 03-0001 (part), Old. 91-008 § 2 (part).)

15.28.020 Exceptions and superseding provisions.

The following sections, or portions thereof, of Chapter 33 and Chapter 33 of the Appendix of the 2001 California Building Code are deleted, amended or superseded by other provisions as in this section hereinafter indicated.

A. Section 3301 is amended by amending 3301.1 thereof in its entirety to read as follows:

3301.1 General. Excavation or fills for buildings or structures shall be so constructed or protected that they do not endanger life or property.

Slopes for permanent fills shall not be steeper than 1 unit vertical in 2 units horizontal (50% slope). Cut slopes for permanent excavations shall not be steeper than 1 unit vertical in 2 units horizontal (50% slope) unless substantiating data justifying steeper cut slopes are submitted. Deviation from the foregoing limitations for cut slopes shall be permitted only upon the presentation of a soil investigation acceptable to the grading official.

No fill or other surcharge loads shall be placed adjacent to any building or structure unless such building or structure is capable of withstanding the additional loads caused by the fill or surcharge.

Existing footings or foundations that may be affected by any excavation shall be underpinned adequately or otherwise protected against settlement and shall be protected against lateral movement.

For footings on adjacent slopes, see Section 1806.5.

Fills to be used to support the foundations of any building or structure shall be placed in accordance with accepted engineering practice. A soil investigation report and a report of satisfactory placement of fill, both acceptable to the grading official, shall be submitted.

Where applicable (see Section 101.3), see Appendix Chapter 33 for excavation and grading.

B. Section 3305 is amended in its entirety to read as follows:

Section 3305 – Scope, Organization, and Enforcement. This appendix sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction.

The Grading Official, as defined in Section 3308 below, is authorized and directed to enforce all provisions of Chapter 33 and Appendix Chapter 33 of the 2001 California Building Code with powers and duties equal to those of the Building Official as found in Section 104 – Organization and Enforcement thereof, but only as such powers and duties relate to enforcement of said Chapter 33 and Appendix Chapter 33.

The standards listed below are recognized standards (see Sections 3503 and 3504).

1. Testing.

1.1 ASTM D 1557, Moisture-density Relations of Soils and Soil Aggregate Mixtures.

1.2 ASTM D 1556, In Place Density of Soils by the Sand-Cone Method.

1.3 ASTM D 2167, In Place Density of Soils by the Rubber-Balloon Method.

1.4 ASTM D 2937, In Place Density of Soils by the Drive-Cylinder Method.

1.5 ASTM D 2922 and D 3017, In Place Moisture Contact and Density of Soils by Nuclear Methods.

- C. Section 3306 is amended by deleting Subsection 3306.2 (1) thereof in its entirety.

A. Deleted.

- D. Section 3306 is amended by amending Subsection 3306.2 (9) thereof in its entirety to read as follows:

9. A fill that is either less than 1 foot (305 mm) in depth in 5 units horizontal (20% slope)^{**,**} or less than 3 feet (914 mm) in depth placed on flat terrain, is not intended to support structures, does not exceed 50 cubic yards (39.3 m³) on any one lot, and does not obstruct or encroach upon a drainage course.

- E. Section 3306 is amended by amending Subsection 3306.2 thereof by adding Subsection 10 and 11 thereto to read in its entirety as follows:

10. Agricultural grading, except that the provisions of this section shall apply to a graded or excavated area influenced by a structure to be constructed thereon and intended primarily for human occupancy or where a definable drainage course is obstructed.

11. Grading which is under the supervision of a government agency.

- F. Section 3306 is amended by amending Subsection 3306.2 thereof by adding the following paragraph:

In those cases where a grading permit is not required, but where there may be an impact on surrounding properties or on present or future structures, a grading voucher may be required by the Grading Official.

- G. Section 3307 is amended in its entirety to read as follows:

SECTION 3307 - HAZARDS

3307.1 Existing hazards: Whenever the Grading Official determines that any existing excavation, or embankment of fill, on private property has become a hazard to life and limb, or endangers property, or adversely affects

the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation, or fill, is located, or other person or agent in control of said property, upon receipt of notice in writing from the Grading Official shall within the period specified therein repair or eliminate the hazard and be in conformance with the requirements of this Code.

In the event such hazard is not corrected as required within the time specified, the Grading Official may deem such hazard a public nuisance consistent with Subsections 15.32.010 A and 15.32.030 D of this title and shall pursue abatement of such hazard as would the Building Official abate a public nuisance pursuant to the provisions of Section 15.32.035 et seq. of this title. For the purposes of pursuing said provisions, the Grading Official shall be vested with equal powers and duties as the Building Official for the purposes of abating such hazard but shall do so in the name of the Director of the Department of Public Works rather than that of the Grading Official. Required noticing and posting as specified shall issue forth in accordance with this provision.

3307.2 Hazardous grading: The Grading Official shall not issue a permit where he finds that the work as proposed by the applicant is liable to endanger private property or interfere with an existing drainage course. If it can be shown to the satisfaction of the Grading Official that the hazard can be essentially eliminated by the construction of retaining structures, buttress fills, drainage devices, or other means, the Grading Official may issue the permit with the condition that such protective work be performed.

3307.3 Geological or flood hazard: If, in the opinion of the Grading Official, the land area for which grading is proposed is subject to geological or flood hazard to the extent that no reasonable amount of corrective work can eliminate or sufficiently reduce the hazard to human life or property, the grading permit and building permit for habitable structures shall be denied.

- H. Section 3308 is amended by adding the following definitions thereto:
1. "Agricultural Grading" shall mean the leveling of land to be used for the growing of food or fiber on parcels containing five acres or more in area for the purpose of making the land more suitable for irrigation.
 2. "Buildable Area" is that area which meets setback requirements as set forth in Figure 18-I-1 SETBACK DIMENSIONS of this code.
 3. "Grading Official" means the Director of Public Works and Planning as used within the provisions of this chapter and any assistant or employee in his/her office designated as deputies in accordance with Section 104.2.2 of the 2001 California Building Code.
 4. "Grading Voucher" is a document which acknowledges compliance with the Fresno County Grading Ordinance for those projects which are exempt from grading permits.
- I. Section 3308 is amended by amending the definition of "APPROVAL" to read in its entirety as follows:
- "Approval" shall mean that the proposed work or completed work conforms to this chapter in the opinion of the Grading Official.
- J. Section 3309 is amended by amending Subsection 3309.1 thereof to read in its entirety as follows:
- 3309.1 Permits Required. Except as exempted in Section 3306.2 of this Code, no person shall do any grading without first noticing and subsequently obtaining a grading permit from the Grading Official. A separate permit shall be required for each site, and may cover both excavations and fills. Subdivisions on which all grading is performed as a unit shall be considered as a single site.

- K. Section 3309 is amended by amending Subsection 3309.2 thereof to read in its entirety as follows:

3309.2 Application. The provisions of Section 106.3.1 are applicable to grading and excavation and in addition to the requirements set forth therein the application shall state the estimated quantities of work involved and the estimated starting and completion dates.

- L. Section 3309 is amended by amending Subsection 3309.3 in its entirety as follows:

3309.3 Grading Designation. All grading in excess of 1000 cubic yards shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading". Grading involving less than 1000 cubic yards shall be designated "regular grading" unless the permittee, with the approval of the Grading Official, chooses to have the grading performed as "engineered grading". The Grading Official may designate grading in excess of 1000 cubic yards as "regular grading" if he determines such designation will be in the public welfare.

- M. Section 3309 is amended by amending the first paragraph of Subsection 3309.4 thereof to read in its entirety as follows:

3309.4 Engineered Grading Requirements. Application for a grading permit shall be accompanied by two sets of plans and specifications, and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications when required by the Grading Official.

- N. Section 3309 is amended by amending Subsection 3309.4.6 thereof to read in its entirety as follows:

6. Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the Grading Official, specific recommendations contained in the soils engineering report and engineering geology report, which are applicable to grading, may be included by reference.

- O. Section 3309 is amended by amending Subsection 3309.7 thereof to read in its entirety as follows:

3309.7 Liquefaction Study. The Grading Official may require a geotechnical investigation in accordance with Sections 1804.2 and 1804.5 when, during the course of an investigation, all of the following conditions are discovered, the report shall address the potential for liquefaction:

1. Shallow ground water, 50 feet (15240mm) or less.
2. Unconsolidated sandy alluvium.
3. Seismic zones 3 and 4.

- P. Section 3309 is amended by amending Subsection 3309.9 thereof to read in its entirety as follows:

3309.9 Issuance. Subsections 15.04.030 through 15.04.080 of the Fresno County Ordinance Code, relating to the administration and enforcement of permits, and Subsections 108.1, 108.2, 108.3, 108.7 and 108.8 of the 2001 California Building Code, relating to inspections, are incorporated by reference and made applicable to the administration and enforcement of the provisions of the chapter with the duties and authorities ascribed to the Building Official being ascribed to the Grading Official while acting within the scope of this chapter. The Grading Official may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

The Grading Official may require professional inspection and testing by the soil engineer. When the Grading Official has cause to believe that geologic factors may be involved, the grading will be required to conform to engineered grading.

- Q. Section 3309 is amended by adding subsection 3309.10 thereto to read in its entirety as follows:

3309.10 Owner-Contractor Agreement. When an owner hires a contractor to do only a portion of the work proposed, a description of the work to be performed by both the owner and the contractor will be required with the grading permit. This description shall be acknowledged by both parties.

- R. Section 3310 is amended in its entirety to read as follows:

SECTION 3310 – GRADING FEES

3310.1 General. Fees shall be assessed in accordance with the provisions as set forth in the master schedule of fees, charges and recovered costs adopted by separate ordinance.

3310.2 Plan Review Fees. When a plan or other data are required to be submitted a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as referred to in Subsection 3310.1. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. For excavation and fill on the same site, the fee shall be based on the volume of excavation or fill, whichever is greater.

3310.3 Grading Permit Fees. A fee for each grading permit shall be paid to the Grading Official as referred to in Subsection 3310.1. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities. The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

- S. Table No. A-33 A-GRADING PLAN REVIEW FEES and Table No. A-33 B-GRADING PERMIT FEES are deleted in their entirety.

- T. Section 3311 is amended in its entirety to read as follows:

SECTION 3311 – BONDS. The Grading Official may require bonds in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions.

In lieu of a surety bond the applicant may file a cash bond or instrument of credit with Grading Official in an amount equal to that which would be required in the surety bond.

- U. Section 3312 is amended by amending Subsection 3312.1 thereof in its entirety to read as follows:

3312.1 General. Unless otherwise recommended in the approved soils engineering and/or engineering geology report, cuts shall conform to the provisions of this section. In the absence of an approved soils engineering report, these provisions may be waived for minor cuts not intended to support structures.

- V. Section 3313 is amended by amending Subsection 3313.1, 3313.3, and 3313.4 thereof to read in its entirety as follows:

3313.1 General. Unless otherwise recommended in the approved soils engineering and/or engineering geology report fills shall conform to the provisions of this section.

3313.3 Fill Material. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the Grading Official, no rock or similar irreducible material with a maximum dimension greater than 12 inches (305 mm) shall be buried or placed in fills.

EXCEPTION: The Grading Official may permit placement of larger rock when the soils engineer properly devises a method of placement and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than 12 inches (305 mm) in maximum dimension shall be 10 feet (3048 mm) or more below grade, measured vertically.
3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.

3313.4 Compaction. All fills shall be compacted to a minimum of 90 percent of relative maximum density, except that in areas designated by Chapter 15.48 Flood Hazards of this title as Areas of Special Flood Hazard, all fills in such areas shall be compacted to a minimum of 95 percent of relative maximum density.

- W. Section 3314 is amended by amending Subsections 3314.3 and 3314.4 thereof to read in their entirety as follows:

3314.3 Toe of Fill Slope. The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of 2 feet (610 mm) and a maximum of 20 feet (6096 mm). Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the Grading Official deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:

1. Additional setbacks.
2. Provision for retaining or slough walls.
3. Mechanical or chemical treatment of the fill slope surface to minimize erosion.
4. Provisions for the control of surface waters.

3314.4 Modification of Slope Location. The Grading Official may approve alternate setbacks. The Grading Official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

- X. Section 3315 is amended by amending second paragraph of Subsection 3315.2 thereof to read in its entirety as follows:

Terrace widths and spacing for cut and fill slopes greater than 120 feet (36576 mm) in height shall be designed by the civil engineer and approved by the Grading Official. Suitable access shall be provided to permit proper cleaning and maintenance.

- Y. Section 3315 is amended by amending the first two paragraphs of Subsection 3315.4 and Subsection 3315.5 thereof to read in their entirety as follows:

3315.4 Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the Grading Official or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive downdrains or other devices.

Building pads shall have a drainage gradient of 2 percent toward approved drainage facilities, unless waived by the Grading Official.

3315.5 Interceptor Drains. Paved interceptor drains shall be installed along the top of all cut slopes where tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet (12192 mm) measured horizontally.

Interceptor drains shall be paved with a minimum of 3 inches (76mm) of concrete or gunite and reinforced. They shall have a minimum depth of 12 inches (305 mm) and a minimum paved width of 30 inches (762 mm) measured horizontally across the drain. The slope of drain shall be approved by the Grading Official.

Z. Section 3317 is amended by deleting Subsection 3317.6 thereof, said paragraph having to do with inspections by the Grading Official.

AA. Section 3317 is amended by amending Subsections 3317.1, 3317.3, 3317.5, 3317.7 and 3317.8 thereto to read in their entirety as follows:

3317.1 General. Grading operations for which a permit is required shall be subject to inspection by the Grading Official.

Professional inspection of grading operations shall be provided by the civil engineer, soils engineer, and the engineering geologist retained to provide such services in accordance with Section 3317.5 for engineered grading and as required by the Grading Official for regular grading.

3317.3 Soils Engineer. The soil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology

reports shall be submitted to the permittee, the Grading Official, and the civil engineer.

3317.5 Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code, and the permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the grading official. In the event of changed conditions, the permittee shall be responsible for informing the Grading Official of such change and shall provide revised plans for approval.

3317.7 Notification of Noncompliance. If, in the course of fulfilling their respective duties under this chapter, the civil engineer, the soils engineer or the engineering geologist finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the Grading Official.

3317.8 Transfer of Responsibility. If the civil engineer, the soil engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Grading Official in writing of such change prior to the re-commencement of such grading.

BB. Section 3318 is amended by amending Subsection 3318.1.4 thereof, by adding a paragraph to Subsection 3318.2 thereof, and by adding Subsection 3318.3 thereto to read in their entirety as follows:

3318.1.4 The grading contractor shall submit in a form prescribed by the Grading Official a statement of conformance to said as-built plan and the specifications.

3318.2 Notification of Completion. The permittee shall notify the Grading Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have

been completed in accordance with the final approved grading plan, and the required reports have been submitted.

If an owner or contractor completes his portion of the work described when the grading permit was issued, he may request a Completion Notice for this portion of work prior to the Final Completion Notice or the expiration of the grading permit.

3318.3 Concurrent Permits. Any grading work which is done in preparation for a structure, must obtain final approval of the grading permit prior to final approval of the corresponding building permit unless other provisions have been made.

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REHABILITATION CODE OF RESIDENTIAL HOTELS

Chapter 15.30

Rehabilitation of Residence Hotels

Sections:

15.30.010 Rehabilitation code for residential hotels adopted.

The Model Code for the Rehabilitation of Residential Hotels, including the exhibits attached thereto, as published by the State of California Department of Housing and Community Development, dated December 1, 1980, is-adopted.
(Ord. 0-84007 (part): Ord. 0-81-018 § 9.)

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Chapter 15.32

**SUBSTANDARD HOUSING AND UNSAFE STRUCTURES-
NUISANCES**

Sections:

15.32.010	Nuisance.
15.32.020	Purpose of declaring an unused service station a nuisance.
15.32.030	Definitions.
15.32.035	Warning of proceeding and fees.
15.32.040	Notice to owners.
15.32.050	Proceedings before the board of review.
15.32.060	Hearing.
15.32.070	Appeal to board of supervisors.
15.32.080	Time to bring action.
15.32.090	Jurisdiction to abate.
15.32.100	Sale of materials.
15.32.110	Statement of expense.

15.32.010 Nuisance.

The following conditions are public nuisances:

- A. Any property or portion thereof which, as the result of development, has become unsafe, injurious to health, indecent, offensive to the senses, or which unlawfully obstructs the free passage or use, in the customary manner, of any county park, square, street or highway, or which constitutes a fire hazard;
 - B. Any dangerous building or structure;
 - C. Any substandard housing or dwelling;
 - D. Any unused service station.
- (Ord. 0-84-008 (part); Ord. 587 § 2 (part), 1977.)

15.32.020 Purpose of declaring an unused service station a nuisance.

The board of supervisors declares and finds that unused service stations constitute a hazard to the health, safety and general welfare for the following reasons:

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

- A. They constitute a danger to life and property due to the use or storage on such premises of flammable and explosive liquids, the accumulation of vapors in their underground tanks and the presence of other hazardous material on such site.
 - B. By their nature, they are often prominently situated on major intersections and thoroughfares. They are, therefore, singularly conspicuous to the public. They impose a rundown appearance upon their neighborhoods, which is unsightly and induces further deterioration of such areas.
 - C. Their distinctive physical appearance is difficult and expensive to adapt to other uses.
 - D. Because of the unenclosed character of service stations, they invite vandalism, arson and afford likely places for the concealment of criminal activity.
- (Ord. 0-84-008 (part): Ord. 587 § 2 (part), 1977.)

15.32.030 Definitions.

As used in this chapter:

- A. "Abandoned building or structure" means any building or structure which has not been actively utilized for a lawful purpose, which has not been maintained, and which has not been rendered inaccessible to members of the public by boarding or similar means, for a continuous period of not less than six months.
- B. "Converted service station" means any site which has been lawfully converted from a service station to another use, but from which the pumps, pump islands, signs, insignias, trade marks, supporting structures, mountings, foundations, underground tanks (which have not been removed or otherwise made safe in the opinion of the building official, or other improvements uniquely and customarily associated with service station operations, have not been taken down, dismantled and removed.

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

- C. A "dangerous building or structure" means that the condition or defect hereinafter described exists to the extent that life, health, property or safety of the public or its occupants are endangered:
1. Whenever any door, aisle, passageway, stairway or other means or exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic;
 2. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the county building code for new buildings of similar structure, purpose or location;
 3. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the county building code for new buildings of similar structure, purpose or location;
 4. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;
 5. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the county building code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the county building code for such buildings;
 6. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction:

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

7. Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, or decay; faulty construction; the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse;
8. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used;
9. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumbline passing through the center of gravity does not fall inside the middle one-third of the base;
10. Whenever the building or structure, exclusive of the foundation, shows thirty-three percent or more damage or deterioration of its supporting member or members, or fifty percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings;
11. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children; a harbor for vagrants, criminals or immoral persons; or as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts;
12. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion, less than fifty percent, or in any supporting part, member or portion less than sixty-six percent of the strength, fire resisting qualities or characteristics, or weather-resisting qualities or characteristics required by law in the case of a newly-constructed building of like area, height and occupancy in the same location;

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

13. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease;
 14. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure;
 15. Whenever any building or structure is abandoned;
 16. Whenever the occupant load increases due to a change in use of an unreinforced masonry building.
 17. Whenever a hazardous condition as is described in Section 15.28.020 of this code is found to exist.
- D. A "public nuisance" is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
- E. "Service station" means any site improved by the installation of gasoline or other petroleum product dispensing pumps or apparatus for retail sale to the public.
- F. "Substandard housing" means, in addition to the conditions described in Section 15.32.030 C 1 through 16, that one or more of the following conditions or defects are present in a dwelling unit, guest room, suite of rooms or the premises on which the same are located, which are ordinarily and customarily used for human habitation, to the extent that the life, limb, health, safety or property of the occupants or the public are in danger.
1. Inadequate sanitation, which shall include but not be limited to the following:
 - a. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit,
 - b. Lack of or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel,

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

- c. Lack of or improper kitchen sink,
 - d. Lack of hot and cold running water to plumbing fixtures in a hotel,
 - e. Lack of hot and cold running water to plumbing fixtures in a dwelling unit,
 - f. Lack of adequate heating facilities,
 - g. Lack of or improper operation of required ventilation equipment,
 - h. Lack of minimum amounts of natural light and ventilation as required by Title 15 of this code,
 - i. Room and space dimensions less than required by Title 15 of this code,
 - j. Lack of required electrical lighting,
 - k. Excessive dampness of habitable rooms,
 - l. Excessive infestation of insects, vermin or rodents,
 - m. General dilapidation,
 - n. Lack of connection to functional sewage disposal system,
 - o. Discharge of sewage on the surface of the ground, and lack of an adequate and safe water supply;
2. Structural hazards, which include but are not limited to the following:
- a. Deteriorated or inadequate foundations,
 - b. Defective or deteriorated flooring or floor supports,
 - c. Flooring or floor supports of insufficient size to carry imposed loads with safety,
 - d. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration,
 - e. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety,

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

- f. Members of ceilings, roofs, ceiling roof supports or other horizontal members with sag, split or buckle due to defective material or deterioration,
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety,
 - h. Fireplaces or chimneys which list, bulge or have settled, due to defective materials or deterioration,
 - i. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety, and
 - j. Cesspools and septic tanks which are structurally unsound;
- 3. Hazardous wiring;
- 4. Hazardous plumbing, which includes but is not limited to the following:
 - a. Any trap which is defective, unprotected against siphonage and back-pressure by vent pipe or does not have a functional sanitary trap seal,
 - b. Any plumbing fixture or other waste-discharging receptacle or device which is not supplied with sufficient water for flushing to maintain it in a clean condition, and
 - c. Any other plumbing condition which is sanitarily unsafe to any person who may occupy the building;
- 5. Hazardous mechanical equipment;
- 6. Faulty weather protection, which includes but is not limited to the following:
 - a. Deteriorated, crumbling or loose plaster,
 - b. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors,

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

- c. Defective of lack of weather protection for exterior wall coverings, including lack of paint or weathering, and
 - d. Broken, rotted, split or buckled exterior wall or roof coverings;
 - 7. Fire hazard, which shall mean any building (or portion thereof), device, apparatus, equipment, combustible waste or vegetation which is likely to cause a fire or explosion or which is likely to provide a ready source of fuel to augment the spread and intensity of a fire or explosion;
 - 8. Faulty materials of construction;
 - 9. Hazardous or unsanitary premises, which shall mean those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials and similar materials or conditions constitute fire, health or safety hazards;
 - 10. Inadequate exits;
 - 11. Inadequate fire-protection or fire-fighting equipment, which shall mean all buildings or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by Title 15 of this code, or whose fire-resistive integrity and fire-extinguishing systems or equipment have not been adequately maintained and improved in relation to any increase in occupant load, alteration, addition, change in occupancy or change in use.
- G. "Unused service station" means any service station or converted service station which has been closed for not less than fifty weeks within a period of one year. A service station shall be considered closed for each week it was not open for business at least eight hours a day for five days.
(Ord. 90-003 § 18: Ord. 0-84-008 (part): Ord. 0-81-002 § 19: Ord. 587 § 2 (part), 1977.)

15.32.035 Warning of proceeding and fees.

If the enforcement officer identifies conditions upon real property which may lead to a substandard structure enforcement proceeding, the owner shall be provided, in person or by mail, a warning letter describing the enforcement procedure and the associated fees that may be imposed. Failure of the property owner to receive such letter shall not preclude further enforcement action pursuant to this chapter.

(Ord. 90-014 § 1.)

15.32.040 Notice to owners.

- A. The building official or the director of the department of health of the county may determine that a building or structure or other property within the county constitutes a public nuisance. The department of health shall have primary authority for the enforcement of substandard housing violations.
- B. Upon such determination, the building official or health officer shall notify, by means of certified or registered mail, the owner, as such person's name appears on the last equalized county assessment roll, mortgagees and beneficiaries under any deed of trust relating to such property of record (if such persons' addresses are known or reasonably available) that the building, structure or property is a public nuisance. A copy of such notice shall also be posted at conspicuous places (front and rear) on such building, structure or property.
- C. Upon such determination and noticing, the property owner shall be liable for a fee for initial actions to enforce substandard structure violations as set forth in the Master Schedule of Fees, Charges and Costs Recovery. If the fee is not paid within thirty days of noticing, the enforcement officer shall notify the person liable for the fee by certified mail of the intent to record a lien with the county recorder for the amount of the fee. Once notice has been accomplished, the enforcement officer may record in the office of the county recorder a certificate specifying the amount of the fee, interest as authorized by law and the name and last known address of the person liable therefor.

- D. Such notice shall contain a statement describing the condition which renders such structure or property a nuisance.

If, in the opinion of such official, such condition can be corrected or abated by repair or other work, such notice shall also state and describe the specific repairs or other work required to abate such condition. The notice shall order that the conditions which constitute the nuisance be abated by demolition, repair or other means within thirty days after the date such notice was mailed. Such official may further order, upon a finding that there exists extreme and imminent danger to the lives or safety of the occupants, that the building, structure or property, or any portion thereof be immediately vacated.

- E. Upon the issuance of an order calling for the immediate vacation of a building, structure or property:

1. The official shall attempt to notify the occupants and owners thereof of the dangers which mandate such immediate vacation, either by telephone, telegraph or by personally visiting the premises;
2. If the imminently dangerous condition can be substantially relieved by the performance of minor repairs, disconnection of certain utility services or other acts, the official may perform such acts of work without the prior consent of or notice to the owners or occupants;
3. If such danger cannot be substantially relieved by such work and upon the failure and refusal of the occupants to voluntarily vacate such premises, the official may personally disconnect the electrical, gas and other utility services to such premises or may request the appropriate utility companies to do so; and
4. The official shall post warnings to all persons not to enter such premises, stating the reasons therefor.

(Ord. 90-014 § 2: Ord. 90-003 § 19: Ord. 0-84-008 (part): Ord. 0-81-002 § 20 (part): Ord. 587 § 2 (part), 1977.)

15.32.050 Proceedings before the board of review.

- A. If, within forty-five days of the date of mailing and posting of the notice described in Section 15.32.040, the nuisance condition described in the notice has not been abated as required therein, the health officer or the building official may institute proceedings before the board of review for the abatement of such nuisance.
- B. Proceedings shall be instituted before the board of review by filing a "notice to abate public nuisance". A copy of such notice shall be served upon the owners, mortgagees and beneficiaries under any deed of trust relating to such property of record. Such notice shall be served and posted in the manner prescribed in Section 15.32.040B and in the event all such persons' addresses are not known or reasonably available to the official, it shall also be published once in a newspaper of general circulation in the county. A copy of such notice may also be filed with the county recorder.

Upon the issuance of the "notice to abate public nuisance" the property owner shall be liable for a second fee for actions to enforce substandard structure violations as set forth in the Master Schedule of Fees, Charges, and Costs Recovery. If the fee is not paid within thirty days of noticing, the enforcement officer shall notify the person liable for the fee by certified mail of the intent to record a lien with the county recorder for the amount of the fee. Once notice has been accomplished, the enforcement officer may record a certificate in the same manner as specified in Section 15.32.040C.

- C. Such notice shall state the time, place and date of the hearing before the board of review (which in no event shall be sooner than fifteen days from the date of such notice); the specific conditions which constitute the public nuisance; and shall direct such owner to appear and show cause why such building, structure or property should not be determined a public nuisance and said nuisance be abated. The notice to abate public nuisance shall be in letters not less than three-fourths of an inch in height and be in substantially the following form:

"NOTICE TO ABATE PUBLIC NUISANCE"

The owner of the building, structure or property situated at is hereby notified to appear before the Board of Review of the County of Fresno at its meeting to be held on..... 20..., at.....(place of meeting), at the hour of..... o'clock, or as soon thereafter as he may be heard, and show cause if any he has, why said building, structure or other property should not be declared a public nuisance and said nuisance be abated by reconstructing, properly repairing, razing, removing or other appropriate means.

DATED:

PUBLIC WORKS AND PLANNING DEPARTMENT, or
DEPARTMENT OF HEALTH

BY

- D. The failure of any owner or other person to receive any notice required to be given or posted by this chapter shall not affect in any manner the validity of any proceedings taken hereunder.
(Ord. 03-0001 (part), Ord. 90-014 § 3; Ord. 90-003 § 20: Ord. 0-84-008 (part): Ord. 0-81-002 § 20 (part): Ord. 587 § 2 (part), 1977.)

15.32.060 Hearing.

- A. At the time fixed in the notice, the board of review shall proceed to hear all competent, relevant and reliable evidence respecting the condition of the building, structure or property, the estimated cost of its reconstruction, repair, removal or other work, and any other matter which the board of review may deem pertinent thereto.
- B. Upon the conclusion of the hearing, the board of review shall, by resolution, make its findings based on the weight of the evidence presented at such hearing. In the event that it so concludes, it may declare the building, structure or property a public nuisance and direct the owner thereof to abate the

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

same within thirty days after the date of posting on the premises a notice of the passage of the resolution.

The resolution may further order that the building, structure or property be razed, removed or otherwise abated within the thirty days, and that the expense thereof be made a lien on the lot or parcel of land upon which the building, structure or property is located.

- C. At any time within sixty days after the passage of such resolution directing the abatement of a public nuisance, the building official or health officer shall conspicuously post a copy thereof on the building, structure or property declared a public nuisance, and shall mail another copy of such resolution to the owners thereof as well as to the mortgagees and beneficiaries under any deed of trust relating to such property, of record. If the address of any such person is unknown to the official, then a copy of such resolution shall be published once in a newspaper of general circulation in the county.
- D. The board of review may grant reasonable extensions of time to abate the nuisance upon good cause therefor being shown. (Ord. 90-003 § 21: Ord. 0-84-008 (part): Ord. 0-81-002 § 20 (part): Ord. 587 § 2 (part), 1977.)

15.32.070 Appeal to board of supervisors.

Any interested party, including the building official or health officer, may appeal the decision of the board of review to the board of supervisors by filing an appeal in writing with the clerk of the board of supervisors of the county within ten days of such final decision of the board of review. Upon the filing of an appeal, the board of supervisors shall schedule and notify the parties of a hearing to be conducted in accordance with the provisions of Section 15.32.060. The board shall consider all relevant, competent and reliable evidence. It may sustain, modify or reverse the decision of the board of review. The decision of the board of supervisors shall be final, except as hereinafter provided.

(Ord. 90-003 § 22: Ord. 0-84-008 (part): Ord. 0-81-002 § 20 (part): Ord. 587 § 2 (part), 1977.)

15.32.080 Time to bring action.

Any interested person feeling aggrieved by the actions of the board of supervisors may, within thirty days after the date of notice to the parties of its decision, bring an action in a court of competent jurisdiction to contest the validity of the proceedings.

(Ord. 0-84-008 (part): Ord. 587 § 2 (part), 1977.)

15.32.090 Jurisdiction to abate.

Thirty days after posting the resolution of the board of review or of services of the resolution of the board of supervisors respecting the building, structure or property, the county may take such action to abate the nuisance as was authorized and directed by the board of review or the board of supervisors unless the nuisance has previously been abated by the owner or other interested person.

(Ord. 0-84-008 (part): Ord. 587 § 2 (part), 1977.)

15.32.100 Sale of materials.

- A. The building materials contained in such building which has been razed or removed, or on such property on which a nuisance has been abated, may be sold by the county at public sale to the highest responsible bidder after not less than five days' notice of intended sale, published at least once in a newspaper of general circulation in Fresno County, either before or after the building is razed or removed.
- B. The building or the health department shall keep an itemized account of the expenses incurred in abating any nuisance and shall deduct therefrom the amounts received from the sale of such building materials.
- C. The building official or the director of the health department shall cause to be conspicuously posted on the property upon which a nuisance has been abated, a statement, verified by the building official or the health officer in charge of doing the work, showing the gross and net expense of the abatement work, together with a notice of the time and place that the statement will be submitted to the board of review for approval and confirmation.

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

- D. The board of review shall consider objections or protests, if any, which may be raised by any person liable to be assessed for the cost of such work and any other interested person. A copy of the statement and notice shall be mailed in the manner prescribed in Section 15.32.040. The time for submitting the statement to the board of review for confirmation shall be not less than five days from the date of posting and mailing the statement and notice.
(Ord. 90-003 § 23: Ord. 0-84-008 (part): Ord. 0-81-002 § 21: Ord. 587 § 2 (part), 1977.)

15.32.110 Statement of expense.

- A. At the time fixed for hearing objections or protests to the statement of expense, the board of review shall consider the statement, together with any objections or protests which may be raised. The board of review may make such revision, correction, or modification in such statement as it may deem just. The board's decisions on the statement, protests and objections shall be final and conclusive.
- B. In the event that the cost of razing, removing or abating the nuisance exceeds the proceeds, if any, received from the sale of materials, such unrecovered costs, if not paid within five days after the decision, shall constitute a lien on the real property upon which the same was abated or removed. Such lien shall continue until the amount thereof and interest thereon (at the rate of six percent per year computed from the date of confirmation of the statement) is paid or discharged of record. Such costs shall be collected with the property taxes for such property, and such lien shall have, for all purposes, parity with state, county and municipal tax liens. The building official or health officer may, within sixty days after the decision of the board of review on the statement, cause to be filed in the office of the recorder of Fresno County, a certificate substantially in the following form:

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

"NOTICE OF LIEN" Pursuant to the authority vested in the undersigned by Chapter 15.32 of the Ordinance Code of the County of Fresno, Government Code Section 25845 of the State of California and Title 25 of the Administrative Code of the State of California, the undersigned did on the day of , 20 cause a nuisance to be abated on the real property hereinafter described; and the undersigned did, on the day of , 20 , assess the cost of such abatement, less the amount received from the sale of building materials upon the real property hereinafter described, and same has not been paid nor any part thereof; and said County of Fresno does hereby claim a lien on said real property for the net expense of doing said work in the sum of \$, and the same shall be a lien upon said real property to be collected, together with the real property taxes, until the said sum, with interest at the rate of six percent (6%) per annum, from the day of , 20 , (insert date of confirmation of statement) has been paid in full and discharged of record. The real property herein before mentioned, and upon which a lien is claimed, is that certain piece or parcel of land lying and being in the County of Fresno, State of California and particularly described as follows:

(space left for description and Assessor's parcel number)

Dated PUBLIC WORKS AND PLANNING
DEPARTMENT, OR DEPARTMENT OF HEALTH

BY.....

Name of Officer

1. From and after the date of recording the notice of lien all persons shall be deemed to have notice of the contents thereof. The statute of limitations shall not run against the right of the county to enforce the payment of the lien.

(Ord. 03-0001 (part).)

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

- D. In the event that the amounts received from the sale of materials exceed the expenses of razing, removing or otherwise performing work on such building, structure or property, such excess shall be deposited with the treasurer of the county to the credit of the owner of such property or to such other person legally entitled thereto. Such excess shall be payable to the owner or other person upon production of evidence of ownership, or other interest satisfactory to the treasurer.

SUBSTANDARD HOUSING AND UNSAFE STRUCTURES NUISANCES

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Chapter 15.44**UNDERGROUND UTILITY DISTRICT****Sections:**

- 15.44.010 Definitions.**
- 15.44.020 Public hearing by board.**
- 15.44.030 Board may designate underground utility districts by resolution.**
- 15.44.031 Board may consent to formation of underground utility districts by city.**
- 15.44.040 Unlawful acts.**
- 15.44.050 Exception, emergency or unusual circumstances.**
- 15.44.060 Other exceptions.**
- 15.44.070 Notice to property owners and utility companies.**
- 15.44.080 Responsibility of utility companies.**
- 15.44.090 Responsibility of property owners.**
- 15.44.100 Responsibility of county.**
- 15.44.110 Extension of time.**

15.44.010 Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

- A. "Board" means the Fresno County board of supervisors.
- B. "Clerk" means the clerk of the Fresno County board of supervisors.
- C. "Commission" means the Public Utilities Commission of the State of California.
- D. "County" means the County of Fresno.
- E. "Director" means the Fresno County Director of The Public Works and Planning Department.
- F. "Person" means and includes individuals, firms, corporations, partnerships and their agents and employees.

- G. "Poles, overhead wires and associated overhead structures" means poles, tower supports, wires, conductors, guys, stubs, platforms, cross arms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above ground within a district and used or useful in supplying electric, communication or similar or associated service.
- H. "Underground utility district" or "district" means that unincorporated area in the county within which poles, overhead wires and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 15.44.030 of this chapter.
- I. "Utility" includes all persons or entities supplying, for their own use or the use of others, electric, communication or similar or associated facilities by means of electrical material or devices. (Ord. 03-0001 (part))

15.44.020 Public hearing by board.

The board may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the unincorporated area of the county and the underground installation of wires and facilities for supplying electric, communication or similar or associated service.

Report by Director. Prior to holding such public hearing, the director shall consult all affected utilities and shall prepare a report for submission at such hearing containing, among other information, estimates of the extent of such utilities' participation, and an estimate of the time required to complete such underground installations and the removal of overhead facilities.

The clerk shall notify all affected property owners, as shown on the last equalized assessment roll, and utilities concerned, by mail, of the time and place of such hearings at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the board shall be final and conclusive.

15.44.030 Board may designate underground utility districts by resolution.

If, after any such public hearing, the board finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the board shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

15.44.031 Board may consent to formation of underground utility districts by city.

When any underground utility district is initiated by a legislative body of a city within the county, and such underground utility district includes a portion of the unincorporated area within the county, the board of supervisors may, by resolution, consent to the formation of such district.

15.44.040 Unlawful acts.

Whenever the board creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 15.44.030 hereof, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in Section 15.44.090 hereof, and for such

reasonable time required to remove such facilities after said work has been performed, and except as otherwise provided in this chapter.

15.44.050 Exception, emergency or unusual circumstances.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period not to exceed thirty days, without authority of the board, in order to provide emergency service. The board may grant special permission on such terms as the board may deem appropriate, in cases of unusual circumstances, without public hearing to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

15.44.060 Other exceptions.

This chapter and any resolution adopted pursuant to Section 15.44.030 hereof shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. County facilities or equipment installed under the supervision and to the satisfaction of the director;
- B. Poles or electroliers used exclusively for street lighting;
- C. Overhead wires (exclusive of supporting) crossing any portion of a district, within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;
- D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;
- E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;

- F. Antennae associated equipment and supporting structures, used by a utility for furnishing communication services;
- G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts;
- H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

15.44.070 Notice to property owners and utility companies.

Within ten days after the effective date of a resolution adopted pursuant to Section 15.44.030 hereof, the clerk shall notify all affected utilities and all persons owning real property within the district created by said resolution of the adoption thereof. Said clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations and tariffs of the respective utility or utilities on file with the commission.

Notification by the clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 15.44.030, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll, and to the affected utilities.

15.44.080 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 15.44.030 hereof, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the commission.

15.44.090 Responsibility of property owners.

- A. Every person owning, operating, leasing, occupying or renting a building or structure within a district shall perform

construction and provide that portion of the service connection on his property between the facilities referred to in Section 15.44.080 and the termination facility on or within said building or structure being served, all in accordance with applicable rules, regulations and tariffs on the respective utility or utilities on file with the commission.

- B. In the event any person owning, operating, leasing, occupying or renting said property does not comply with the provisions of subparagraph A of this section within the time provided for in the resolution enacted pursuant to Section 15.44.030 hereof, the director shall post written notice on the property being served and thirty days thereafter shall have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property.
- C. If the action required in subparagraph A is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 15.44.030, the director, with the consent of the board, shall give notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the latest equalized county assessment roll, or as is known to the director of public works, to provide the required underground facilities within ten days after receipt of such notice.
 - 1. The notice to provide the required underground facilities may be given either by personal service or by certified mail, return receipt requested. If notice is given by mail to either the owner or occupant of such premises, the director shall, within forty-eight hours after the mailing thereof, cause a copy thereof, printed on a form not less than eight inches by ten inches in size, to be posted in a conspicuous place on the premises.

2. The notice shall particularly specify that work is required to be done, and shall state that if the work is not completed within thirty days after receipt of such notice, the county will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property.
3. If upon expiration of the thirty-day period, the required underground facilities have not been provided, the county, acting through its director of public works, shall forthwith proceed to do the work. Upon completion of the work by the director, he shall file a written report with the board setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The board shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises.
4. The director shall forthwith, upon the time for hearing such protests having been fixed give written notice to the person in possession of such premises and to the owner thereof in the manner provided in subsection I herein.

The notice shall describe the work completed, the legal description of the property, the amount of the proposed assessment, the time and place of the hearing wherein the board will consider the adoption of the proposed assessment, and a statement that the assessee shall have an opportunity at the time of such hearing to attend and protest the proposed assessment. The hearing shall not be earlier than ten days after the giving of the notice thereof.

5. Upon the date and hour set for the hearing of the protests, the board shall hear and pass upon the report as provided in Section 14.16.080.
6. Within ten days of the confirmation of the assessment by the board, the assessment shall be payable to the

county treasurer. If all or any portion of the assessment is not paid to the county treasurer within ten days after its confirmation, the amount of the assessment shall become a lien upon the property as provided in Section 14.16.090.

7. In the event all or any portion of the assessment is not paid within ten days after its confirmation, collection of the assessment may be payable in installments upon adoption of a resolution therefor according to the procedure described in Section 14.16.100.

15.44.100 Responsibility of county.

County shall remove at its own expense all county-owned equipment from all poles required to be removed hereunder within a reasonable time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 15.44.030 hereof.

15.44.110 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 15.44.030 hereof cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

Chapter 15.48

FLOOD HAZARD AREAS

Sections:

15.48.010	Findings of fact.
15.48.020	Statement of purpose.
15.48.021	Methods of reducing flood losses.
15.48.030	Statement of scope.
15.48.040	Definitions.
15.48.050	General provisions.
15.48.060	Administration.
15.48.070	Provisions for flood hazard reduction.
15.48.080	Floodways.
15.48.090	Variance procedure.
15.48.091	Appeal process.

15.48.010 Findings of fact.

- A. The flood hazard areas of Fresno County are subject to periodic inundation hazards which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. These losses are caused by the cumulative effect of obstructions and encroachments in areas of special flood hazards, which increase flood heights, widths, and/or velocities. There is additional damage to uses in other areas when said obstructions are inadequately anchored. Uses that are inadequately floodproofed, elevated or otherwise protected from flood-related damage also contribute to the flood loss.

(Ord. 88-004 § 2 (part).)

15.48.020 Statement of purpose.

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

(Ord. 98-015 § 1: Ord. 88-004 § 2 (part).)

15.48.021 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions to:

- A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

- D. Control filling, grading, dredging, and other development which may increase flood damage; and
 - E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.
- (Ord. 98-015 § 2.)

15.48.030 Statement of scope.

Requirements of this chapter shall apply to all new development, substantial improvements, minor improvements, and conversions of existing nonresidential structures to residential uses within flood hazard areas. Such structures must meet the lowest floor elevation or floodproofing requirements. Residential garages, swimming pools, storage structures, open patios, decks and carports within flood hazard areas may be constructed below the one-hundred-year flood level but must meet the anchoring, wet flood proofing, construction methods and materials standards. Water, sewer and on-site waste disposal systems within the flood hazard areas shall be designated to avoid impairment from the floodwaters and shall be designed to minimize or eliminate both infiltration of floodwaters into the system and discharge from the sewer system into the floodwaters.

(Ord. 98-015 § 3: Ord. 88-004 § 2 (part).)

15.48.040 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application:

- A. "Appeal" means a request for a review of the floodplain administrator's interpretation of any provision of this chapter.
- B. "Area of shallow flooding" means a designated AO or AH zone on the Flood Insurance Rate Map (FIRM).
- C. "Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This area is designated as zone A, AE, AO, and AH on the FIRM.

- D. "Base flood elevation" means the elevation of the flood surface having a one percent chance of being equaled or exceeded in any given year. This term is synonymous with the term "one-hundred-year flood level" in zones A, AI through A30, AE, AO or AH.
- E. "Basement" means any area of the building having its floor subgrade (below ground level) on all sides.
- F. "Board of supervisors" is the local governing unit that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.
- G. "Commercial coach" means a vehicle, with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes, and shall include a trailer coach.
- H. "Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.
- I. "Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
- J. "Existing manufactured home park or subdivision" means a manufactured home park or subdivision of which the construction of facilities for servicing the lots on which the manufactured homes are to affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the ponding of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the county.
- K. "Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

- L. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland waters; and/or
 - 2. The unusual and rapid accumulation of runoff of surface waters from any source.
- M. "Flood Boundary and Floodway Map" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of flood hazards and the floodway.
- N. "Flood hazard area" holds the same meaning as "area of special flood hazard."
- O. "Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- P. "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
- Q. "Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source—see "Flood".
- R. "Floodplain Administrator" is the Director of the Public Works and Planning Department or his/her designees and is appointed to administer and enforce the floodplain management regulations.
- S. "Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.
- T. "Floodplain management regulations" means this chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as Chapter 15.28 Grading and Excavation of this title) and other application of police power which control development in

- flood-prone areas. This term describes federal, state or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.
- U. "Floodproofing" means any combination of structural and nonstructural additions, changes or adjustments to structures, which substantially reduce or eliminate flood damage to real estate or improved property, water and sanitary facility structures.
 - V. "Flood-related erosion" means a condition that exists in conjunction with a flooding event that alters the composition of the shoreline or bank of a watercourse. One that increases the possibility of loss due to the erosion of the land area adjacent to the shoreline or watercourse.
 - W. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the floodwater surface elevation more than one foot and the flooding width. The floodway is delineated on the Flood Boundary and Floodway Map.
 - X. "Floodway fringe" is that area of the floodplain on either side of the "regulatory floodway" where encroachment may be permitted.
 - Y. "Fraud and victimization" as related to Section 15.48.090, Variance procedure, of this chapter, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the board of supervisors will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty to one hundred years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

- Z. "Hardship" as related to Section 15.48.090, Variance procedure, of this chapter means the exceptional hardship that would result from a failure to grant the requested variance. The board of supervisors requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.
- AA. "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction within twenty feet of the proposed outer walls of a structure.
- BB. "Levee" means a man-made structure, usually an earthen embankment, designated and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.
- CC. "Lowest floor" means the lowest floor of the lowest enclosed area, including basement.
1. An unfinished or flood resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor, provided that it conforms to applicable non-elevation design requirements, including but not limited to:
 - a. The wet floodproofing standard in Section 15.48.070A (3)(e) of this chapter;
 - b. The anchoring standards in Section 15.48.070A(1) of this chapter;
 - c. The construction materials and methods standards in Section 15.48.070A(2) of this chapter.

2. For residential structures, all subgrade enclosed areas are prohibited as they are considered to be basements. This prohibition includes below-grade garages and storage areas.
- DD. "Manufactured home" means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes recreational vehicles, travel trailers, and other similar vehicles placed on site where a development permit is required.
- EE. "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- FF. "Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- GG. "Minor improvement" means any improvement to a main structure whose construction date occurred subsequent to July 23, 1980, that is not a "substantial improvement" except that this term does not include either:
1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
 2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
- HH. "Mobile home" means a manufactured home.
- II. "New construction" means structures for which the "start of construction" commenced on or after July 23, 1980.

- JJ. "New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the county.
- KK. "Obstruction" includes, but is not limited to, any dam, wall, wharf embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, snare or collect debris carried by the flow of water, or is likely to be carried downstream.
- LL. "Public safety and nuisance" as related to Section 15.48.090, Variance procedure, of this chapter means that the granting of a variance must not result in anything which is injurious to safety or health of an entire community, neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin.
- MM. Deleted.
- NN. "Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- OO. "Remedy a violation" means to bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this chapter or otherwise deterring future similar violations, or reducing state or federal financial exposure with regard to the structure or other development.

- PP. "Start of construction" includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.
- Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not used as part of the main structure.
- QQ. "Structure" means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.
- RR. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- SS. "Substantial improvement" means any repair, reconstruction, addition, or improvement of a structure, or any accumulation thereof occurring after July 23, 1980, the improvement of which equals or exceeds fifty percent of either the market value or square footage of the structure either:
1. Before the improvement or repair is started, or in the case of cumulative improvements before July 23, 1980; or

2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure.

This term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

A change from non-residential to residential structure use shall constitute a "substantial improvement" for the purpose of bringing the structure under consideration into conformance with this chapter. The addition or improvement of a basement shall constitute a "substantial improvement."

- TT. "Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.
- UU. "Violation" means the failure of a structure or other development to be fully compliant with this chapter. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.
- VV. "Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.
- WW. "Watercourse" means a natural or manmade, intermittent or perennial, drainage channel which includes, but is not limited to the terms river, tributary, stream, or creek.

- XX. "Zone A" means areas on the Flood Insurance Rate Maps that are designated "Zone A" which zone shows only the area subject to flooding in a one-hundred-year flood. Where no other data as to base flood depth or elevation is shown on the FIRM, the base flood elevation in this zone shall be one of the following:
1. In areas where the top of curb elevations have been established by an adopted storm drainage master plan or by a governmental agency having jurisdiction over said elevations, an elevation eighteen inches above the top of curb at the point nearest to the center of the structure. On a corner lot the lower curb elevation shall apply.
 2. In areas where a storm drainage master plan for top of curb elevations has not been adopted and the structure being developed is less than one hundred feet from the centerline of the road, an elevation two feet above the crown of pavement of the road immediately adjacent to the property. The elevation will be taken at the intersection of crown of the road and a projection of a line from the center of the structure. On a corner lot, the lower crown elevation shall apply.
 3. In areas where a storm drainage master plan for top of curb elevations has not been adopted, and the structure is in excess of one hundred feet from the centerline of the nearest road, an elevation three feet above the highest ground within twenty feet of the structure.
 4. Where the Floodplain Administrator has knowledge that the one hundred-year base flood elevation will be greater or lesser than specified in subdivisions 1, 2 and 3 of this subsection, the Floodplain Administrator shall use that known one-hundred-year flood elevation in applying the provisions hereof.

- YY. "Zone AO" means certain areas subject to one-hundred-year flooding in which base flood elevations range from one to three feet above the "highest adjacent grade"; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. If there is no depth number on the FIRM for zone AO, the base flood elevation shall be two feet above the "highest adjacent grade." Where the Floodplain Administrator has knowledge that the one-hundred-year base flood elevation will be greater than two feet above the "highest adjacent grade" the Floodplain Administrator shall use that known one-hundred-year flood elevation in applying the provisions thereof. All the terms used in this chapter and not defined in this chapter shall be as defined in other sections of this title. (Ord. 03-0001 (part), Ord. 98-015 § 4: Ord. 90-003 § 27: Ord. 88-004 § 2 (part).)

15.48.050 General provisions.

- A. Lands to Which This Chapter Applies. This chapter shall apply to all areas of special flood hazards within the jurisdiction of the county of Fresno.
- B. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for the County of Fresno", dated September 16, 1982, with an accompanying Flood Insurance Rate Maps and the Flood Boundary and Floodway Maps (FBFM's) dated December 1, 1982, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this chapter. This FIS and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the board of supervisors by the floodplain administrator. The FIS, FIRM's and FBFM's are on file at the County of Fresno, Public Works and Planning Department, 2220 Tulare Street, Suite B, Fresno, CA 93721.

- C. Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations.
- D. Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- E. Interpretation. In the interpretation and application of this chapter, all provisions shall be:
 - 1. Considered as minimum requirements;
 - 2. Liberally construed in favor of the board of supervisors; and deemed neither to limit nor repeal any other powers granted under state statutes.
- F. Warning and Disclaimer of Liability. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the county of Fresno, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.
- G. Severability. This chapter and the various parts thereof are hereby declared to be severable. Should any section of this chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the chapter as a whole or any portion thereof, other than the section so declared to be unconstitutional or invalid.
(Ord. 03-0001 (part), Ord. 98-015 § 5: Ord. 88-004 § 2 (part).)

15.48.060 Administration.

- A. Establishment of Development Permit. A development permit shall be obtained before start of construction or beginning of development within any area of special flood hazard established in Section 15.48.050, subsection B. Application for a development permit shall be made on forms furnished by the building official or floodplain administrator and may include, but not be limited to, a duplicate set of plans drawn to scale showing the nature, location, dimensions, and elevation of the area in question, existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information shall be required for new development and substantial improvement:
1. Proposed elevation, in relation to mean sea level, of the lowest floor (including basement) of all structures; or, in zone AO and A, elevation of highest adjacent grade and proposed elevation of lowest floor of all structures;
 2. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;
 3. Certification by a registered civil engineer or architect that floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 15.48.070, subsection A(3)(b); and
 4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- B. Designation of the Administering Agency. The director of the Public Works and Planning Department is hereby appointed to administer and implement appropriate sections of this chapter by granting or denying development permit applications in accordance with its provisions.

C. Administrative Duties and Responsibilities.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to:

1. Permit Review.

- a. Review all development applications to determine that the requirements of this chapter have been satisfied;
- b. Review all development applications to determine that the site is reasonably safe from flooding;
- c. Review all development applications to determine that the proposed development does not adversely affect the flood-carrying capacity of the area special flood hazard.

For purposes of this chapter, "does not adversely affect" means that the proposed development will not increase significantly the elevation of the base flood, velocity, or cause erosion, or for the purpose of reasonable floodplain management that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood by more than one foot at any point, thus expanding the area subject to special flood hazards;

- d. Review all proposals for the development of five parcels or more to assure that the flood discharge exiting the development after construction does not create additional flood hazards downstream from the development, increase the height, or expand a special flood hazard area;
- e. Review all required state and federal permits for the development.

2. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 15.48.050, subsection B, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state, or other source, in order to administer Section 15.48.070. Reduction in the base flood elevation shown on adopted Flood Insurance Rate Maps shall require prior approval by FEMA.
3. Information to be Obtained and Maintained. The Director shall obtain and maintain for public inspection and make available as needed for flood insurance policies:
 - a. The certified elevation required in Section 15.48.070, subsection A(3)(a);
 - b. The elevation or floodproofing certification required in Section 15.48.070, subsection A(3)(b);
 - c. The certified elevation required in Section 15.48.070, subsection D(2);
 - d. The anchoring certification required in Section 15.48.070, subsection E(l);
 - e. Certification required by Section 15.48.070A(3)(e) (wet floodproofing standard); and
 - f. Certification required by Section 15.48.080A (floodway encroachments).
4. Alteration of Watercourses.
 - a. Notify adjacent communities and the California State Coordinator for Floodplain Management prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;
 - b. Require that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.

5. Interpretation of FIRM Boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 15.48.090.
6. Appeals. The appeals board, as provided in Chapter 15.04 of Title 15 of this code, shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.
(Ord. 03-0001 (part), Ord. 98-015 § 6: Ord. 90-003 § 28: Ord. 88-004 § 2 (part).)

15.48.070 Provisions for flood hazard reduction.

In all areas of special flood hazard, the following are required and shall be administered by the Director or his/her designee:

- A. Standards of Construction.
 1. Anchoring.
 - a. All new development, substantial improvements, and minor improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
 - b. All manufactured homes, occupied as residences and commercial coaches shall meet the anchoring standards of Section 15.48.070, subsection E(I).
 2. Construction Materials and Methods.
 - a. Electrical Requirements. Except in watertight basements, all electrical wiring below the flood level shall be in a watertight conduit or approved direct burial cable and all electrical equipment below the flood level shall be approved for use under water.

- b. Plumbing Requirements. Except in watertight basements, water outlets connected to the water supply shall be located above the flood level and all required vacuum breakers shall be six inches above the flood level. Sewer and on-site waste disposal systems shall be located and designed to minimize impairment, seepage, or infiltration by or into floodwaters.
 - c. Mechanical Requirements. Except in watertight basements, all heating and cooling ducts, plenums, mechanical equipment attached to the buildings, and other service facilities shall be installed above the flood level.
 - d. Methods. All new development and substantial improvements below the flood level shall utilize methods and practices that minimize flood damage.
 - e. Materials. All materials utilized in a structure below the base flood elevation shall be only those resistant to flood damage.
 - f. Exception. Minor improvements of any structure shall meet the above standards beginning at and extending below the bottom of the floor structure.
- 3. Elevation and Floodproofing.
 - a. Residential Construction. New development and substantial improvements of any structure shall have the lowest floor, including basement, a minimum of twelve inches above the base flood elevation. New development and substantial improvements of any structure in zone AO shall have the lowest floor, including basement, elevated above the highest adjacent grade at least a minimum of twelve inches above the depth number specified in feet on the FIRM. New development and substantial improvements of any structure within zone A shall have the

lowest floor at or above the base flood level but are exempted from the twelve-inch increase stated herein. When an existing structure is remodeled, reconstructed or added to and such work is classified as substantial improvement the entire existing structure shall be modified to comply with the base flood elevation requirements of the applicable zone. Upon completion of the structure the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer, land surveyor, or architect that elevation requirements have been met. Such certifications shall be provided to the Director as set forth in Section 15.48.060, subsection C(3)(a), prior to the final inspection of the structure.

- b. Nonresidential Construction. New development and substantial improvements of any structure shall have the lowest floor, including basement, a minimum of six inches above the base flood elevation. New development and substantial improvements of any structure in zone AO shall have the lowest floor, including basement, elevated above the highest adjacent grade at least a minimum of six-inches above the depth number specified in fee on the FIRM. New development and substantial improvements of any structure in zone A shall have the lowest floor at or above the base flood level but are exempted from the six-inch increase stated herein. When an existing structure is remodeled, reconstructed or added to and such work is classified as substantial improvement the entire structure shall be modified to comply with the base flood elevation requirements of the applicable zone. Upon completion of the structure the elevation of the lowest floor, including basement, shall be certified by registered civil engineer, land surveyor, or

architect that elevation requirements have been met. Such certifications shall be provided to the Director as forth in Section 15.48.060, subsection C(3)(a), prior to the final inspection of the structure.

In the alternative, nonresidential development shall, together with attendant utility and sanitary facilities:

- i. Be floodproofed so that below an elevation six-inches above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water. Structures in zone A must be floodproofed to the base flood level but are exempted from the six-inch increase stated herein; and
 - ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - iii. Be certified by a registered civil engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection are satisfied. Such certifications shall be provided to the official as set forth in Section 15.48.060, subsection C. (3)(b), prior to final inspection of the structure.
- c. Manufactured Homes. All manufactured homes to be placed or substantially improved within zones AE, AO, AH, and A shall be elevated on a permanent foundation such that the lowest floor of the manufactured home meets or exceeds the above elevation requirements and shall be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 15.48.070, subsection E.

- d. Deleted.
- e. Other Enclosed Areas. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered civil engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- f. Minor Improvements. All lowest floors of a minor improvement of any structure shall meet or exceed the lesser of either the elevation requirement contained within this chapter or those in effect when the main structure was built. In no event, however, shall any lowest floor of a minor improvement be lower than that of the structure to which it shall be attached.
- g. Alternate Designs. All requirements of this chapter shall be subject to the provisions of the 2001 California Building Code, Sections 104.2.7, 104.2.8 and 104.2.9 as provided in Chapter 15.08 of this code; which sections allow the use of approved alternate designs, materials, equipment and methods of construction.

- B. Standards for Storage of Materials and Equipment.
 - 1. The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life, is prohibited.
 - 2. Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.
- C. Standards for Utilities.
 - 1. All new and replacement water supply and sanitary sewage systems, shall be designed to minimize or eliminate both infiltration of floodwaters into the system and discharge from systems into floodwaters.
 - 2. All on-site waste disposal systems shall be located to minimize impairment to them or contamination from them during flooding
- D. Standards for Subdivisions.
 - 1. All subdivision proposals shall identify the flood hazard area and the elevation of the base flood.
 - 2. All final subdivision plans shall provide the elevation of proposed structure(s) and pads. If the site is filled above the base flood, the lowest pad elevation shall be certified by a registered civil engineer or land surveyor and provided to the building official as set forth in Section 15.48.060, subsection C. (3)(c).
 - 3. All subdivision proposals shall be consistent with the need to minimize flood damage.
 - 4. All subdivision proposals shall have public utilities and facilities such as roads, sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
 - 5. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage as set forth in Section 15.48.060, section C. (l)(d).

6. Require that all subdivision proposals and other proposed new developments include within such proposals base flood elevation data.
- E. Standards for Manufactured Homes and Manufactured Home Parks and Subdivision.
1. All manufactured homes, commercial coaches,—and accessory structures shall be anchored to resist flotation, collapse or lateral movement:
 - a. By providing an anchoring system designed to withstand horizontal forces of fifteen pounds per square foot and uplift forces of nine pounds per square foot; or
 - b. By the anchoring of the unit's system, designed to be in compliance to the Department of Housing and Development Mobile Home Construction and Safety Standards; or
 - c. By construction of a pad in which the top of the finished pad is at or above the minimum required lowest floor elevation for the zone district it is placed in, and
 - d. As set forth in Section 15.48.060, subsection C. (3)(d), certification meeting the standards above is required of the installer, registered civil engineer, or architect.
 2. Manufactured Home Parks and Subdivisions. The following standards are required for (a) new manufactured home parks or subdivisions, (b) expansions to existing manufactured home parks or subdivisions and, (c) repair, reconstruction, or improvements to existing manufactured home parks or subdivisions that equals or exceeds fifty percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.
 - a. Adequate surface drainage and access for a hauler or mobile home mover shall be provided.

- b. All manufactured homes shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable anchoring requirements for resisting wind forces.
- 3. Certification of compliance is required of the registered civil engineer responsible for the manufactured home park or subdivision plan.
(Ord. 03-0001 (part), Ord. 98-015 § 7: Ord. 90-003 § 29: Ord. 88-004 § 2 (part).)

15.48.080 Floodways.

Located within areas of special flood hazard established in Section 15.48.050B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements, minor improvements and other development unless certification by a registered civil engineer is provided demonstrating that encroachments shall not result in any increase in flood surface elevations during the occurrence of the base flood discharge;
- B. If, in the opinion of the Floodplain Administrator, the land area for which development is proposed is subject to flood hazard to the extent that no reasonable amount of corrective work can eliminate or sufficiently reduce the hazard to human life or property, the development permit for such structures shall be denied.
(Ord. 98-015 § 8: Ord. 88-004 § 2 (part).)

15.48.090 Variance procedure.

- A. Generally, the floodplain administrator may issue variances for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Sections 15.48.060 and 15.48.070 of this chapter have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- B. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
- C. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazards, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this chapter.
- D. Variances shall only be issued upon:
 - 1. Showing of good and sufficient cause;
 - 2. Determination that failure to grant the variance would result in exceptional "hardship," as defined in Section 15.48.040 of this chapter, to the applicant; and
 - 3. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense; create a nuisance "public safety or nuisance" as defined in Section 15.48.040, cause fraud or victimization, as defined in Section 15.48.040, of the public, or conflict with existing local laws or ordinances.
- E. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Sections 15.48.090A through 15.48.090D are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

- F. Upon consideration of the factors of Section 15.48.091 A of this chapter and the purposes of this chapter, the board of supervisors may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
(Ord. 98-015 § 9: Ord. 88-004 § 2 (part).)

15.48.091 Appeal process.

- A. In passing upon an appeal of the floodplain administrator's determination of requests for variances, the appeals board, as provided in Chapter 15.04 of this code, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and:
1. Danger that materials may be swept onto other lands to the injury of others;
 2. Danger of life and property due to flooding or erosion damage;
 3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
 4. Importance of the services provided by the proposed facility to the county;
 5. Necessity to the facility of a waterfront location, where applicable;
 6. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 7. Compatibility of the proposed use with existing and anticipated development;
 8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 9. Safety of access to the property in time of flood for ordinary and emergency vehicles;
 10. Expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site; and

11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.
- B. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars for one hundred dollars of insurance coverage; and
 2. Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the floodplain administrator in the office of the county recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.
- C. The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Insurance Administration of the Federal Emergency Management Agency.
(Ord. 98-015 § 10.)

Chapter 15.52

HOME FINANCING PROGRAM

Sections:

15.52.10	Adoption of home financing program.
15.52.20	Findings of the board of supervisors.
15.52.30	Home financing program area within the county.
15.52.40	Required Improvements.
15.52.50	Compliance with general plans.
15.52.60	Delegation of authority
15.52.70	Liberal construction

15.52.10 Adoption of home financing program.

The county adopt a home financing program (the “program”) pursuant to Part 5 of Division 31 (Sections 52000, et seq.) of the Health and Safety Code of the State of California (the “act”), for the purpose of increasing the housing supply for moderate and low-income families in the county and determines to issue mortgage revenue bond pursuant to said act to provide funds for the program based upon the findings of the board of supervisors.
(Ord. 0-84-008 (part): Ord. 628 § (part), 1980.)

15.52.20 Findings of the board of supervisors.

The board of supervisors finds and declares that:

- A. Decent housing is an essential motivating force in helping people to achieve self-fulfillment in a free and democratic society.
- B. A healthy housing market is one in which residents of this sate have a choice of housing opportunities and one in which the housing consumer may effectively choose within the free market.
- C. There exists within the county a shortage of housing available to moderate and low-income persons and that this shortage is exacerbated during periods of rising interest rates, particularly as high interest rates have the effect of diminishing the number of otherwise credit-worthy buyers from qualifying for

private sector mortgage capital sources. The board of supervisors further finds that in order to remedy this adverse effect on potential home buyers on the lower end of the purchasing spectrum, it is necessary to implement a public program to reduce the cost of mortgage financing for single-family purchases for those persons unable to compete for mortgage financing in the conventional mortgage market.

- D. It is necessary, in order to implement a public program to reduce the cost of mortgage financing, to authorize long-term, low-interest mortgages to persons not presently eligible for financing through the private sector lending institutions to finance construction, rehabilitation and acquisition of homes. The board of supervisors further finds and declares that in order to finance the program, mortgage revenue bonds are authorized to be sold to fund the program.

(Ord. 0-84-008 (part): Ord. 628 § 1 (part), 1980.)

15.52.30 Home financing program area within the county.

The county shall operate the program within the unincorporated area of the county and within the geographical boundaries of any city in the county which agrees to participate in the program.

(Ord. 0-84-008 (part): Ord. 628 § 1 (part), 1980.)

15.52.40 Compliance with general plans.

The program shall comply with the land use element and the housing element of the general plan of the county and of any city participating in the program.

(Ord. 03-0001 (part), Ord. 0-84-008 (part): Ord. 628 § 1 (part), 1980.)

15.52.50 Rules and regulations.

Rules and regulations are authorized to be adopted by resolution of the board of supervisors and shall be promulgated in the form and the manner best suited to attain the objectives of the home-financing program within Fresno County.

(Ord. 0-84-008 (part): Ord. 628 § 1 (part), 1980.)

15.52.60 Delegation of authority.

The officers of the county are authorized, directed and empowered to perform any and all necessary and proper acts to implement and carry out the objectives of the home-financing program.

(Ord. 0-84-008 (part): Ord. 628 § 1 (part), 1980.)

15.52.70 Liberal construction.

The provisions of this chapter, being necessary for the welfare of the county and its inhabitants, shall be liberally construed to effect the purpose of the program.

(Ord. 0-84-008 (part): Ord. 628 § 1 (part), 1980.)

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**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

Chapter 15.60

**CALIFORNIA DEPARTMENT OF FORESTRY
STATE RESPONSIBILITY AREA
FIRE SAFE REGULATIONS OF THE COUNTY**

Sections:

I. GENERAL PROVISIONS

15.60.010	Short Title and Purpose.
15.60.020	Regulating Authority.
15.60.030	Applicability.
15.60.040	Required Improvements.

II. DEFINITIONS

15.60.100	Word Interpretation.
15.60.110	Definitions.
15.60.120	Distance Measurements.

III. PROCEDURES

15.60.200	Exceptions.
15.60.210	Exception Application for Approval.
15.60.220	Appeal Procedure.
15.60.230	Filing Fee.

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

IV. DEVELOPMENT REQUIREMENTS

15.60.300	Setbacks for Structures.
15.60.305	Improvements—Roads.
15.60.310	Road Width.
15.60.315	Roads—Cul-de-sacs; dead-end roads.
15.60.320	Roads—One way
15.60.325	Driveways.
15.60.330	Gates.
15.60.335	Signs—Road.
15.60.340	Signs—Buildings
15.60.345	Flammable Vegetation and Fuels.
15.60.350	Water Supply.
15.60.355	Hydrant—Location.

V. GENERAL REQUIREMENTS

15.60.400	Improvement plans.
15.60.410	Hydrant/fire valve—Signing.
15.60.415	Maintenance.

VI. DEVELOPMENT STANDARDS

15.60.500	Driveway.
15.60.505	Grades.
15.60.510	Roadway radius.
15.60.515	Turnouts.
15.60.520	Turnarounds.
15.60.525	Roadway Structures.
15.60.530	Signs.
15.60.535	Water Systems.
15.60.540	Hydrants/Fire valves.

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

I. GENERAL PROVISIONS

15.60.010 Short title and purpose.

This chapter shall be known as and may be cited as the California Department of Forestry State Responsibility Area Fire Safe Regulations of the County, and is necessary in order to provide for basic emergency access, perimeter wildfire protection measures, signing and building numbering, private water supply reserves for emergency fire use and vegetation modification.

(Ord. 91-025 § 1 (part).)

15.60.020 Regulating authority.

Pursuant to the authority conferred by Section 4290 of the Public Resources Code of the State of California, and in addition to any other regulations provided by law, the regulations in this chapter contained are established herewith and shall apply to all future design and construction of structures, subdivisions, parcel maps, and developments wholly or partly within state responsibility areas in the unincorporated area of the county.

(Ord. 91-025 § 1 (part).)

15.60.030 Applicability.

Application of fire regulations shall be required for the following applications for which approval has not been granted as of the effective date of this chapter.

1. Applications for building permits for new construction except expansion of an existing structure, replacement of an existing structure and construction of an accessory structure;
2. Applications for tentative subdivisions;
3. Applications for divisions of land regulated by Chapter 17.72 of this Ordinance Code entitled "Parcel Maps";
4. Applications for use permits and site plan reviews for construction or development;
5. Construction of new roads, or extension of an existing road.

(Ord. 91-025 § 1 (part).)

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

15.60.040 Required improvements.

1. As a condition precedent to acceptance and approval of a subdivision map or document, the divider shall make, or agree to make, the improvements required by this chapter.
2. As a condition precedent to issuing occupancy for improvements on a parcel of land, the owner or developer shall make the improvements required by this chapter. The director at his discretion may allow the deferment of the required improvements through the execution of an agreement and the posting of adequate securities.
(Ord. 91-025 § 1 (part).)

II. DEFINITIONS

15.60.100 Word interpretation.

"May" indicates an action which is permissive. "Shall" indicates an action which is mandatory. All words in the singular shall include the plural, and plural, the singular. Each gender shall include the other. Each tense shall include the other tense:
(Ord. 91-025 § 1 (part).)

15.60.110 Definitions.

- A. "Accessory structure" means any structure used as an accessory to residential, commercial, recreational, industrial or educational purposes for which a building permit is required.
- B. "Board" means board of supervisors of the county.
- C. "Building" means any structure used for residential, commercial, recreational, industrial or educational purposes including mobile and manufactured homes.
- D. "Building Official" means the Director of the Public Works and Planning Department or his/her designee.
- E. "CDF" means California Department of Forestry and Fire Protection.
- F. "Cul-de-sac" means a road which terminates in a permanent turnaround and which by design is not intended to continue beyond its terminal point.

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

- G. "Dead-end road" (stub road) means a road which is terminated at the boundary line of a parcel or lot but which will be extended at a later date to provide access to abutting land.
- H. "Defensible space" means the area within the perimeter of a parcel or development including access thereto where basic wildland fire protection measures are implemented.
- I. "Department" means the Department of Public Works and Planning of the county.
- J. "Director" means the Director the Public Works and Planning Department of the county.
- K. "Driveway" means vehicular access that serves no more than three dwelling units within no more than two buildings constructed after September 1, 1991.
- L. "Dwelling unit" means two or more rooms in a building designed for or occupied by one family for living or sleeping purposes and having only one kitchen and separate toilet facilities.
- M. "Hammerhead/T" means a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road it serves.
- N. "Roads" means new roads or extensions of existing roads, whether public or private, providing vehicular access to more than one parcel, constructed after September 1, 1991; access to any industrial or commercial occupancy; or vehicular access to a single parcel with more than two buildings or four or more dwelling units.
- O. "Roadway" means any surface designed, improved, or ordinarily used for vehicle travel.
- P. "Roadway structures" means bridges and other appurtenant structures which supplement the roadway.
- Q. "State responsibility area (SRA)" as defined in Public Resources Code Sections 4126 4127; and the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Article I, Sections 1220 - 1220.5.

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

- R. "Turnaround" means a roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment.
- S. "Turnout" means a widening in a roadway to allow vehicles to pass.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.120 Distance measurements.

All specified or referenced distances are measured in the true horizontal distance, unless otherwise stated.
(Ord. 91-025 § 1 (part).)

III. PROCEDURES

15.60.200 Exceptions.

- A. The applicant may request an exception to the development requirements of this chapter.
- B. The Director may authorize modifications of development requirements as set forth in this chapter, whenever the following finding is made:
 - 1. The modification provides the same overall practical effect as the development requirements towards providing defensible space.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.210 Exception—Application for approval.

Application for the approval of an exception shall be made by filing the following items with the department:

- 1. A description of the request, including specific sections of this chapter for which the exception is requested;
- 2. Material facts supporting the request;
- 3. Details of alternative measures proposed;
- 4. A map showing the subject defensible space, improvements and alternative measures.
(Ord. 91-025 § 1 (part).)

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

15.60.220 Appeal procedure.

The applicant or any person or agency adversely affected may within ten days of the decision of the Director, appeal that decision to the appeals board. Such appeal shall be made in writing and shall state the reasons for the appeal. The board shall render its decision on the appeal after the close of its hearing. If the appeal is granted, the board shall provide a copy of its findings to the GDI Ranger Unit headquarters that administers SRA fire protection in the county.

(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.230 Filing fee.

The board of supervisors shall establish by resolution the fees for filing an exception, which shall be paid at the time of filing thereof.

(Ord. 91-025 § 1 (part).)

IV. DEVELOPMENT REQUIREMENTS

15.60.300 Setbacks for structures.

- A. All buildings and accessory structures shall have a minimum setback of thirty feet from all property lines. Planned unit developments and condominium projects shall have a minimum separation of sixty feet between buildings.
- B. The above setbacks and separations may be reduced to the minimum setback required by the zone district property development standards for the project if any of the following conditions exist:
 - 1. The building is served by a community water supply system or;
 - 2. A one hour fire wall is provided for all walls adjacent to the reduced setback area; or
 - 3. The reduced setback area is adjacent to an outlet for open space or similar area where construction of buildings is prohibited and the fuel is modified and maintained for at least thirty feet from the building so as to prevent or retard the spread of fire.

(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

15.60.305 Improvements—Roads.

All new roads or extensions of existing roads shall be improved in accordance with the appropriate county improvement standard, determined by the Fresno County Ordinance Code. (Ord. 91-025 § 1 (part).)

15.60.310 Road Width

All new roads or extensions of existing roads shall:

- A. Be constructed to provide a minimum ten-foot travel lane for one-way roads;
- B. Be constructed to provide a minimum of two nine-foot travel lanes for two-way roads.
- C. Provide, for horizontal curves, an additional width of:
 - 1. Four feet for curves having a centerline radius of fifty-nine to one hundred nine feet;
 - 2. Two feet for curves having a centerline radius of one hundred nine to two hundred nine feet.

(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.315 Roads—Cul-de-sacs; dead-end roads

- A. The maximum length of new cul-de-sac roads, dead-end roads or extensions thereof, including all roads accessed from that road shall not exceed the following cumulative lengths:
 - 1. Eight hundred feet for parcels zoned for less than one acre;
 - 2. One thousand three hundred twenty feet for parcels zoned for one to 4.99 acres;
 - 3. Two thousand six hundred forty feet for parcels zoned for five to 19.99 acres;
 - 4. Five thousand two hundred eighty feet for parcels zoned for twenty acres or larger.
- B. Extensions of lengths may be approved providing that an emergency access easement, improved to a standard adequate for fire protection equipment, connects the end of the cul-de-sac to a public road.
- C. Where cul-de-sac roads cross areas of differing zone districts, requiring different length limits, the shortest allowable length shall apply.

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

- D. A turnaround shall be provided at the end of all cul-de-sac roads and at one thousand three hundred twenty foot maximum intervals for subdivisions 3 and 4 of subsection A of this section.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.320 Roads—One-way

One-way roads may be approved by the Director in accordance with the following:

- A. Roads shall connect to a two-lane road at both ends;
- B. Roads shall provide access to a maximum of ten dwelling units;
- C. Roads shall have a maximum length of two thousand six hundred forty feet;
- D. A turnout shall be provided at approximately the midpoint of the length of the road;
- E. A forty-foot turning radius shall be provided at all gates.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.325 Driveways

All driveways to buildings for which permits are issued on or after September 1, 1991, shall:

- A. Be improved in accordance with the requirements of this chapter;
- B. Have turnouts near the midpoint of the length of driveways exceeding one hundred fifty feet in length or every four hundred feet for driveways exceeding eight hundred feet in length;
- C. Provide a turn-around within fifty feet of buildings served by driveways in excess of three hundred feet in length.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.330 Gates

All gates installed after September 1, 1991, on roads and driveways shall:

- A. Be inset a minimum of thirty feet from the intersection of a road to provide for opening of the gate without obstructing traffic on the intersecting road;

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

- B. Have entrances a minimum of two feet wider than the traveled way serving the gate.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.335 Signs—Road

Signs shall be placed prior to occupancy of a building, for which a permit is issued on or after September 1, 1991, recordation of a map or document for the division of property or prior to acceptance of road improvements in accordance with the following:

- A. At the intersections of all roads identifying the names of the roads;
- B. At the intersection preceding a traffic limitation and no more than one hundred feet before such limitation identifying the following limitations:
1. Weight,
 2. Vertical clearance,
 3. One-way or single-lane conditions,
 4. Cul-de-sac roads, dead-end road,
 5. Other limitations identified by the director;
- C. Shall be visible and legible from both directions for a distance of at least one hundred feet;
- D. Shall be placed at a height of seven feet to the bottom of the sign.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.340 Signs—Buildings

All buildings, for which a permit is issued on or after September 1, 1991, shall have a permanently posted address installed at the beginning of construction in accordance with the following:

- A. At the intersection of the road and driveway entrance serving the building or be visible from the road;
- B. Shall be visible and legible from both directions of travel along the road;
- C. Shall be on a single post where multiple addresses are for a single driveway.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

15.60.345 Flammable vegetation and fuels

All flammable vegetation and fuels caused by site development including road and driveway construction and fuel modification shall be properly disposed of prior to occupancy of a building or acceptance of road construction, whichever is appropriate.

(Ord. 91-025 § 1 (part).)

15.60.350 Water supply

Emergency water for wildfire protection shall be provided for all subdivisions, divisions of parcels, use permits, site plan reviews and existing lots used for single-family dwelling units which have an agreement and/or condition to provide water in accordance with the following:

- A. Where community water systems are required, hydrants shall be installed at locations deemed necessary by the fire agency having jurisdiction prior to completion of road construction;
- B. Where individual water systems are allowed, individual water supply facilities shall be provided prior to completion of building construction.

(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.355 Hydrant—Location.

- A. Hydrants required along a road shall be no closer than four feet nor farther than twelve feet from the roadway and in a location where fire equipment using it will not block traffic.
- B. Hydrants shall not be less than fifty feet nor more than one-half mile by road from the building it is to serve.
- C. A turn-out or turn-around shall be provided at hydrants located on driveways or roads.

(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

V. GENERAL REQUIREMENTS

15.60.400 Improvement plans.

Where improvements are required by the provisions of this chapter, improvement plans shall be submitted to the appropriate department for review and approval. The Director may require the plans to be prepared by a registered civil engineer.

(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

15.60.410 Hydrant/fire valve—signing.

A sign shall be provided within three feet of the hydrant/fire valve or access to water required by this chapter in accordance with the following:

- A. The sign shall be identified with a three-inch reflectorized blue marker mounted on a fire retardant post three to five feet above the ground and visible from the driveway; or
 - B. The sign shall be identified as specified in the State Fire Marshal's Guidelines for fire hydrant markings along state highways and freeways.
- (Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.415 Maintenance.

Provisions shall be made for maintenance of all improvements required by this chapter through a county service area, California Department of Forestry Minor Benefit Assessment District as authorized by Government Code Section 50078, or other method approved by the director.

(Ord. 91-025 § 1 (part).)

15.60.500 Driveway.

All driveways required by this chapter shall be constructed to provide a minimum ten-foot travel lane and unobstructed vertical clearance of fifteen feet along its entire length.

(Ord. 91-025 § 1 (part).)

15.60.505 Grades.

The grade for roads and new driveways shall not exceed twelve percent except that the director may approve grades not exceeding twenty percent upon request where unusual physical features of the terrain exist. Approval may be granted upon submission of sufficient adequate information to evaluate the need to exceed the twelve percent maximum grade.

(Ord. 91-025 § 1 (part).)

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

15.60.510 Roadway radius.

All roadways required by this chapter shall have a minimum centerline radius of fifty-nine feet for horizontal curves and a minimum length of one hundred feet for vertical curves.

(Ord. 91-025 § 1 (part).)

15.60.515 Turnouts.

Turnouts shall be a minimum of ten feet wide and thirty feet long with a minimum twenty-five-foot taper at each end.

(Ord. 91-025 § 1 (part).)

15.60.520 Turnarounds.

Turnarounds shall provide a minimum turning radius of forty feet from the centerline of the road, or if a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet in length.

(Ord. 91-025 § 1 (part).)

15.60.525 Roadway structures.

All roadway structures for roads and driveways shall:

- A. Be designed by a registered civil engineer to provide structural adequacy for fire protection vehicles and constructed in accordance with plans approved by the director;
- B. Provide the minimum vertical clearance as required by the California Vehicle Code Section 35250;
- C. Be signed to reflect limitations and capacities;
- D. Shall provide for unobstructed visibility from one end to the other and provide turnouts at both ends for one lane structures.

(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

15.60.530 Signs.

All signs required by this chapter shall:

- A. Have a minimum three-inch letter/number height, three-eighths inch stroke;
- B. Be reflectorized;
- C. Have letter/number color contrasting with the background color;
- D. Be of a fire retardant material mounted on a fire retardant post.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.535 Water systems.

Water systems for wildfire protection required by this chapter shall meet or exceed the following standards:

- A. Public Utilities Commission revised General Order No. 103, adopted June 12, 1956 (corrected September 7, 1983, decision 83-09-001), Section VIII and other applicable sections, which include the following water flow requirements for community systems:
 - 1. Two hundred fifty gpm for rural residential with a lot density of two or less per acre primarily for recreational and/or part time occupancy,
 - 2. Five hundred gpm for lot density of less than one single family residential per acre,
 - 3. Seven hundred fifty gpm for lot density of one or two single-family residential units per acre,
 - 4. One thousand gpm for lot density of three or more single family residential units per acre, including mobile home parks,
 - 5. One thousand five hundred gpm for duplex residential units, neighborhood businesses of one story,
 - 6. Two thousand gpm for multiple residential, one and two stories; light commercial or light industrial,
 - 7. Two thousand five hundred gpm for multiple residential, three stories or higher; heavy commercial or heavy industrial; or

**CALIFORNIA DEPARTMENT OF FORESTRY STATE RESPONSIBILITY
AREA FIRE SAFE REGULATIONS OF THE COUNTY**

- B. National Fire Protection Association Standard 1231 "Standard on Water Supplies for Suburban and Rural Fire Fighting," 1989 edition for static systems which includes provisions for the use of ponds, streams, cisterns, two thousand five hundred gallon aboveground storage tanks and swimming pools; or
- C. Insurance Services Office Rural class 8 2nd Edition 3-80 for Mobile Water Systems; or
- D. Any combination of the above with the approval of CDF and the Director.
(Ord. 03-0001 (part), Ord. 91-025 § 1 (part).)

15.60.540 Hydrants/fire valves.

Fire hydrants or valves shall be eighteen inches above grade and eight feet from flammable vegetation. Heads shall be brass with two and one-half inch National Hose male thread with cap for pressure and gravity flow systems and four and one-half inch for draft systems.

(Ord. 03-0001 (part).)